

## SIXTY-THIRD DAY

(Thursday, May 11, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Hill of Brazoria.
Adamson.	Hill of Webb.
Aikin.	Hodges.
Alexander.	Holekamp.
Alsup.	Holland.
Anderson	Holloway.
of Bexar.	Hoskins.
Anderson	Huddleston.
of Johnson.	Hughes.
Baker.	Hunt.
Barrett.	Hyder.
Barron.	Jackson.
Beck.	James.
Bedford.	Jefferson.
Bourne.	Johnson
Bradley.	of Anderson.
Burns.	Jones of Atascosa.
Calvert.	Jones of Runnels.
Camp.	Jones of Shelby.
Canon.	Kayton.
Cathey.	Kyle of Hays.
Caven.	Kyle of Palo Pinto.
Celaya.	Laird.
Chastain.	Latham.
Clayton.	Lemens.
Colson.	Leonard.
Coombes.	Lindsey.
Cowley.	Long.
Crossley.	Lotief.
Daniel.	Mackay.
Davidson.	Magee.
Dean.	Mathis.
Devall.	McClain.
Dunlap.	McDougald.
Dunagan.	McGregor.
Duvall.	Merritt.
Dwyer.	Metcalfe.
Engelhard.	Mitcham.
Fain.	Moffett.
Few.	Moore.
Ford.	Morrison.
Fuchs.	Morse.
Glass.	Munson.
Golson.	Nicholson.
Good.	Palmer.
Goodman.	Parkhouse.
Graves.	Patterson.
Greathouse.	Pavlica.
Griffith.	Pope.
Haag.	Puryear.
Hankamer.	Ramsey.
Harman.	Ratliff.
Harris.	Ray.
Harrison.	Reader.
Hartzog.	Reed of Bowie.
Hester.	Reed of Dallas.
Hicks.	Renfro.

Riddle.	Stovall.
Roberts.	Sullivant.
Rogers of Hunt.	Tarwater.
Rogers	Tennyson.
of Ochiltree.	Thomas.
Rollins.	Tillery.
Ross.	Townsend.
Russell.	Turlington.
Savage.	Van Zandt.
Scarborough.	Vaughan.
Scott.	Wagstaff.
Shannon.	Walker.
Shults.	Weinert.
Smith.	Wells.
Stanfield.	Winningham.
Steward.	Wood.
Stinson.	Young.

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McCullough.
	McKee.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Head for today, on motion of Mr. Ford.

Mr. Butler for today, on motion of Mr. Hyder.

Mr. McKee for today, on motion of Mr. Wood.

The following Member was granted leave of absence on account of illness:

Mr. McCullough for today, on motion of Mr. Tillery.

## INVITING THE SENATE TO HEAR ADDRESSES IN REGARD TO BOND ISSUE

Mr. Savage offered the following resolution:

Whereas, The House of Representatives, on yesterday, extended an invitation to the mayors and county judges of the State of Texas to come to Austin tonight for the purpose of discussing measures pertaining to securing funds for welfare relief; now, therefore, be it

Resolved, That we extend an invitation to the Senate to meet with the House on this occasion.

SAVAGE,  
SHANNON.

The resolution was read second time, and was adopted.

RELATIVE TO HOUSE BILL NO.  
480

On motion of Mr. Reed of Bowie, the following statement was ordered printed in the Journal:

Reason for Withdrawing House Bill  
No. 480

House Bill No. 480 was in lieu of the teachers' institute in Bowie County, which, at the time it was introduced, would have meant a saving of about \$1,200 to the County.

Since the passage of House Bill No. 34, repealing the law requiring teachers' institute, and counties are not compelled to have either, I am withdrawing this bill.

REED of Bowie.

RELATIVE TO CERTAIN APPROPRIATION FOR STATE ORPHANS HOME AT  
CORSICANA

Mr. Harman offered the following resolution:

H. C. R. No. 83, Relative to certain appropriation for State Orphans Home at Corsicana.

Whereas, House Bill No. 169 has passed the House and Senate and has been signed by the Governor; and

Whereas, The appropriations there-in made for the following item of the State Orphans Home, at Corsicana, to wit: "Teachers, primary, four (4), none exceeding \$60 per month, \$2,880," for each of said years, is in error in that it recites "none exceeding \$60 per month" when it was the intention of said Act for said item to read "none exceeding \$80 per month"; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the State Comptroller, with the State Board of Control and the Superintendent of the State Orphans Home concurring, be authorized to pay some of said four teachers "not exceeding \$80 per month"; provided, the total expended shall not exceed the \$2,880 appropriated aforesaid for said four (4) teachers per year.

HARMAN,  
KAYTON,  
CALVERT.

The resolution was read second time, and was adopted.

PROPOSING A LABOR AMENDMENT TO THE CONSTITUTION

Mr. Bradley offered the following resolution:

H. C. R. No. 82, Proposing a labor amendment to the Constitution.

Whereas, The Administration at Washington, in attempting to promote economic recovery over the country, among other projects, is undertaking to maintain the buying power of the people by securing employment at shorter hours made possible by labor-saving devices that allow the individual to produce economic goods in less time than formerly was required; and

Whereas, In this project the Federal Government, under its present authority to regulate interstate commerce, is too limited in its power to co-ordinate industry over the Nation; and

Whereas, Though the Congress is to be commended for undertaking to do its part in the present National emergency by attempting to shorten hours and protect wages in American industry by regulations of interstate commerce and otherwise, there is needed for the Congress authority to shorten hours without reduced wages and otherwise to improve working conditions in the intrastate industries not only as a means of co-operating with the International Labour Office of the League of Nations, but also in order to prevent the following dangers to the Nation's economic life, to wit: The unintentional erection of artificial barriers between the States by promoting intrastate commerce that will be encouraged by those industries attempting to avoid the Federal regulation contemplated and by working longer hours at lower wages to exploit men, women, and children in industry, and thus, through unfair competition, to destroy legitimate industry that will be without opportunity for the proper protection of public authorities; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That in order that said economic program may be properly carried out, we suggest to the Senators and Congressmen from Texas that the following amendment be proposed to the States:

"Article —.

"Section 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age, and to limit and regulate the labor and minimum compensation of all persons within the territorial limits of the United States and its possessions.

"Sec. 2. The Congress, in passing legislation by authority of this Article, shall provide in such legislation for public hearings and due notice to representatives of employers and employees to determine pertinent facts before said hours and or minimum compensation is fixed or altered as may be provided by law.

"Sec. 3. The personal rights of the citizens stipulated in Article I of the amendments hereto and their right to collective bargaining and the power of the several States are unimpaired by this Article, except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.

"Sec. 4. This Article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within three years from the date of its submission."

BRADLEY,  
ADAMSON.

The resolution was read second time.

On motion of Mr. Bradley, the resolution was referred to the Committee on Constitutional Amendments.

RELATIVE TO CERTAIN MONEYS  
IN THE STATE TREASURY

Mr. Griffith offered the following resolution:

H. C. R. No. 84, Relative to certain moneys in State Treasury.

Whereas, The Regular Session of the Forty-second Legislature passed House Concurrent Resolution No. 36, appearing on page 906, Acts of the Regular Session of the Forty-second Legislature, which resolution is in the following words and figures, to wit:

"Whereas, The State Treasurer has in the vaults of the Treasury mutilated and foreign moneys, carried on the daily balance sheet of the State

Treasurer as vault cash, the face value of which totals \$841.06; and

"Whereas, These moneys cannot be used in payment of current bills or vouchers; therefore, be it

"Resolved by the House of Representatives, the Senate concurring, That the State Treasurer be, and he is hereby, authorized to exchange the mutilated and foreign moneys herein mentioned for legal tender money on the best terms possible"; and

Whereas, The State Treasurer has complied with the provisions of said resolution and has realized from the sale of said mutilated and foreign moneys the sum of \$500; and

Whereas, It is impossible to determine the proper fund to which said moneys should be deposited; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the State Treasurer be, and he is hereby, authorized to place said \$500 to the credit of the General Revenue Fund of the State of Texas, and to make the records of his office properly reflect his action in this matter.

The resolution was read second time, and was adopted.

GRANTING C. W. FRANKS PERMISSION TO SUE THE  
STATE

Mr. Jones of Atascosa offered the following resolution:

H. C. R. No. 87, Granting C. W. Franks permission to sue the State.

Whereas, On or about May 1, 1932, C. W. Franks, of Pleasanton, Atascosa County, Texas, was the owner of fifty-three head of cattle, which, under the law, he was required to dip for the extermination of the fever tick, and

Whereas, Pursuant to requirements of the Live Stock Sanitary Commission, he did dip said cattle, and

Whereas, It is alleged by the said C. W. Franks that as a result of such dipping, said cattle were burned and injured to the extent that they died from the effect of such dipping, and

Whereas, It is alleged by the said C. W. Franks that the solution in which he was required to dip his cattle was so strong and poisonous that as a result of said dipping the said fifty-three head of cattle died, and

Whereas, The said C. W. Franks alleges that said cattle were reasonably worth the sum of \$15 per head, and that the loss of said cattle was due to being compelled to dip said cattle in an improper solution which resulted in their death, and

Whereas, Said C. W. Franks has never been compensated by the State for the injuries to said cattle and the resultant loss he has sustained, and

Whereas, The said C. W. Franks alleges that said injuries and resultant death of said cattle was due to the acts and negligence of the Live Stock Sanitary Commission of Texas; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the said C. W. Franks be, and he is hereby, granted permission to bring suit against the State of Texas and the Live Stock Sanitary Commission of the State of Texas in a court of competent jurisdiction in order to determine what, if any, compensation he is entitled to for the injuries received, and that service of citation or other necessary process be had upon the Live Stock Sanitary Commission and the Attorney General with the same force and effect as in civil cases.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

#### RELATIVE TO AUDITING OF PERMANENT SCHOOL FUND

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 65, Relative to auditing of Permanent School Fund.

Whereas, The Legislature of this State, in the General Appropriation Act for State Departments, Chapter 286, Acts, Regular Session, Forty-second Legislature, as amended by Chapter 8, Second Called Session, Forty-second Legislature, appropriated the sum of forty thousand dollars (\$40,000) for each of the fiscal years beginning September 1, 1931, and September 1, 1932, respectively, to the State Auditor's office to be expended by the State Auditor, upon the approval of the Governor, in auditing the oil and gas royalties that have accrued, and were and are accruing, to the Permanent School Fund, the

Permanent University Fund, and to other Funds of the State; and

Whereas, It is the sense of this Legislature that it is desirable that an audit should likewise be made of the investments and securities of the Permanent School Fund of the State; and

Whereas, An audit of said investments and securities can be made in connection with the auditing of the oil and gas royalties which have accrued, and are accruing, to the Permanent School Fund by an expenditure of three thousand dollars (\$3,000) out of the funds already appropriated as hereinbefore stated, if said audit of said investments and securities is made in connection with the audit of oil and gas royalties accrued, and accruing, to said Permanent School Funds; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the State Auditor be, and he is hereby, authorized to make an audit of the investments and securities held for the benefit of the Permanent School Fund by the State of Texas, and any and all transactions in said Fund, and to expend for that purpose three thousand dollars (\$3,000) of the funds hereinbefore appropriated for an audit of the oil and gas royalties accrued, and accruing, to the Permanent School Fund, the Permanent University Fund, and other State Funds as may be necessary to make the audit herein authorized.

SANDERFORD,  
BECK.

The resolution was read second time.

Mr. Van Zandt raised a point of order on further consideration of the resolution, on the ground that it seeks to make an appropriation through a concurrent resolution.

The Speaker overruled the point of order.

Question then recurring on the resolution, it was adopted.

#### REPORT OF SUBCOMMITTEE IN REGARD TO HOSPITAL FOR CRIPPLED AND DEFORMED CHILDREN

On motion of Mr. Stovall, the following report was ordered printed in the Journal:

Hon. W. M. Harman, Chairman, Committee on Appropriations.

Sir: The undersigned subcommittee begs to submit the report on the Hospital for Crippled and Deformed Children, located at Galveston, Texas, which institution was established about 1913, and the hospital building erected in 1915, on the property of the State of Texas on which is located the John Sealy Hospital. This hospital was taken over in 1915 by the State of Texas, and its management and control is fully described in Articles 3260 to 3263, 1925 Statutes, Chapter 3, Title 51. Article 3261: (Said hospital shall be under the control and management of the Board of Regents of The University of Texas, which is hereby authorized and empowered to lease said hospital building to the City of Galveston in the same manner as the John Sealy Hospital buildings, and to require that provision be made in such hospitals for the care and treatment of crippled and deformed children.)

The Legislature has made appropriations for the maintenance at each Regular Session of the Legislature. It has no connection whatever with the School of Medicine and Board of Regents other than the medical students for The University of Texas School of Medicine work in this hospital the same as they do in the John Sealy Hospital. All crippled children are admitted under the provision of the Act establishing a hospital for crippled and deformed children.

From the information that we have been able to obtain, there appears to be some irregularity or misunderstanding as to the management of funds appropriated for this institution, though, it appears now that these funds are being paid by order of the Board of Control. The appropriation made by the State for the past two years is only sufficient to maintain about twenty beds and inasmuch as the hospital has sixty beds, the Board of Regents permits the John Sealy Hospital to use any of the unoccupied forty beds for the care of children whose conditions are such that they can not accept a State charge. Due to the limited appropriations, the John Sealy Hospital quite often assumes the burden of caring for a crippled child who is brought to the hospital as an emergency and at a time when none of the State beds are available.

There are many more applications for the admission of crippled children to the Hospital for Crippled and Deformed Children than the State appropriations will permit. So the management of the hospital is forced to use its best judgment in selecting the most needy cases.

The John Sealy Hospital provides full maintenance for all of the children in the Hospital for Crippled and Deformed Children and charges the appropriation \$2.75 per day. This maintenance includes full nursing care, medical care, medicine, plaster casts, crutches, braces, and even clothing. A part of the nursing care is provided by the State under an appropriation which is sufficient to pay the salaries of three nurses, one cook and part of the salary of the school teacher. The John Sealy Hospital, however, provides room, board, and laundry for the three nurses paid out of this appropriation and furnishes all additional nursing care that the child may need.

So far as we can see, it makes no difference whether the Board of Control or the Board of Regents approves the bills against the appropriations; however, at the time of opening the hospital, the Board of Control assumed this responsibility and we presume this was done because it was a State appropriation and not an appropriation to be paid out of the University funds. This procedure has been followed ever since.

Your committee has found it difficult to secure accurate and satisfactory evidence as to when the lease was ever made as to this particular hospital, but it being located on the property of the State of Texas and adjacent to the John Sealy Hospital, and the superintendent of the John Sealy Hospital having charge and control of the Hospital for Crippled and Deformed Children, it appears from the facts gathered that the regent or others in charge at the time of entering into a lease contract with the City of Galveston in 1913 made no mention as to the Hospital for Crippled and Deformed Children. While Article 3261 states, "Said hospital being under the control and management of the Board of Regents of The University of Texas; and hereby is authorized and empowered to lease said hospital building to the City of Galveston in the same manner as the John Sealy Hospital Building."

The lease above mentioned was entered into in 1913 for a period of twenty-five years, which would expire in 1935. Hundreds of the most seriously afflicted children from their birth have been treated in this institution with marvelous results. Many of them restored to that degree of normality that they have been enabled to go into the world and sustain themselves. Judge John Darrouzet, with many other prominent citizens of the City of Galveston, has contributed liberally of their time and means to the carrying on of this hospital, to whom the people of Texas should be grateful. We would recommend that this institution be named in any lease contract entered into in the future, whereby the Sealy Hospital is leased to the City of Galveston.

We, your committee, beg to submit the above as being the essential and material facts pertaining to this hospital that we have been able to gather, and respectfully ask that same be accepted and your committee discharged.

Respectfully submitted,

STOVALL, Chairman;  
GRAVES,  
SULLIVANT.

#### HOUSE CONCURRENT RESOLUTION NO. 21 WITH SENATE AMENDMENTS

Mr. Kayton called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 21, Requesting the State Highway Commission to equip the Highway Patrol with facilities and instruments necessary for the enforcement of highway laws.

The Speaker laid the resolution before the House, with the Senate amendments.

On motion of Mr. Kayton, the House concurred in the Senate amendments.

#### SENATE BILL NO. 454 ON SECOND READING

On motion of Mr. Jackson, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading,

S. B. No. 454, A bill to be entitled "An Act to amend Subdivision 32, of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, amended by Acts, 1931, Forty-

second Legislature, First Called Session, page 27, Chapter 14, Section 1, relating to the District Court for the Thirty-second Judicial District, so as to exclude Howard County, and to change the dates of convening the District Court in the counties of the Thirty-second Judicial District of Texas; Subdivision 70, of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts, 1929, Forty-first Legislature, page 50, Chapter 19, relating to the District Court for the Seventieth Judicial District of the State of Texas, so as to include Howard County in the Seventieth Judicial District, and exclude Andrews County; and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Scott offered the following amendment to the bill:

Amend Senate Bill No. 454, pages 3 and 4, by striking out Section 1, and inserting in lieu thereof the following:

"Section 1. That the following Counties, to wit: Howard, Midland, Ector, Martin, and Glasscock shall hereafter constitute the Seventieth Judicial District of the State of Texas, and the terms of the District Court of said District shall be held therein each year as follows:

"In the County of Howard, on the first Monday in January of each year, and may continue in session seven weeks; on the seventeenth Monday after the first Monday in January of each year, and may continue in session eight weeks; on the second Monday after the first Monday in September of each year, and may continue in session six weeks.

"In the County of Midland, on the seventh Monday after the first Monday in January of each year, and may continue in session five weeks; on the twenty-seventh Monday after the first Monday in January of each year, and may continue in session five weeks; on the eighth Monday after the first Monday in September of each year, and may continue in session four weeks.

"In the County of Ector, on the twelfth Monday after the first Monday in January of each year, and may continue in session two weeks; on the twenty-fifth Monday after the first Monday in January of each year, and may continue in session two

weeks; on the twelfth Monday after the first Monday in September in each year, and may continue in session three weeks.

"In the County of Martin, on the fourteenth Monday after the first Monday in January of each year, and may continue in session two weeks; on the first Monday in September of each year, and may continue in session two weeks; on the fifteenth Monday after the first Monday in September of each year, and may continue in session one week.

"In the County of Glasscock, on the sixteenth Monday after the first Monday in January of each year, and may continue in session one week; on the sixteenth Monday after the first Monday in September of each year, and may continue in session one week."

The amendment was adopted.

Senate Bill No. 454 was then passed to third reading.

#### SENATE BILL NO. 454 ON THIRD READING

Mr. Scott moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 454 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Adamson.	Fain.
Aikin.	Few.
Alexander.	Ford.
Alsup.	Fuchs.
Anderson	Glass.
of Johnson.	Golson.
Baker.	Good.
Barrett.	Goodman.
Barron.	Griffith.
Bedford.	Hankamer.
Bourne.	Harman.
Bradley.	Harris.
Calvert.	Hartzog.
Camp.	Hester.
Canon.	Hill of Brazoria.
Cathey.	Hill of Webb.
Celaya.	Holekamp.
Chastain.	Holland.
Clayton.	Hoskins.
Coombes.	Huddleston.
Crossley.	Hughes.
Daniel.	Hunt.
Davidson.	Hyder.
Dean.	James.
Devall.	Jefferson.
Dunagan.	Jones of Atascosa.
Dwyer.	Jones of Runnels.

Kayton.	Rogers of Hunt.
Kyle of Hays.	Rogers
Kyle of Palo Pinto.	of Ochiltree.
Laird.	Rollins.
Lemens.	Russell.
Lindsey.	Savage.
Lotief.	Scarborough.
Magee.	Scott.
Mackay.	Shannon.
Mathis.	Shults.
McClain.	Smith.
Metcalf.	Stanfield.
Mitcham.	Steward.
Moffett.	Stinson.
Morrison.	Stovall.
Morse.	Sullivant.
Munson.	Tarwater.
Nicholson.	Tennyson.
Palmer.	Thomas.
Parkhouse.	Tillery.
Patterson.	Townsend.
Pavlica.	Turlington.
Puryear.	Van Zandt.
Ramsey.	Vaughan.
Ratliff.	Wagstaff.
Ray.	Walker.
Reader.	Winningham.
Reed of Bowie.	Wood.
Reed of Dallas.	Young.
Roberts.	

Nays—2

Dunlap.	Duvall.
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Absent

Anderson	Johnson
of Bexar.	of Anderson.
Beck.	Jones of Shelby.
Burns.	Latham.
Caven.	Leonard.
Colson.	Long.
Cowley.	McDougald.
Engelhard.	McGregor.
Graves.	Merritt.
Greathouse.	Moore.
Haag.	Pope.
Harrison.	Renfro.
Hicks.	Riddle.
Hodges.	Ross.
Holloway.	Weinert.
Jackson.	Wells.

Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McCullough.
	McKee.

The Speaker then laid Senate Bill No. 454 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—110

Adamson.	Kyle of Palo Pinto.
Aikin.	Laird.
Alexander.	Latham.
Alsup.	Lemens.
Anderson	Lindsey.
of Johnson.	Lotief.
Baker.	Magee.
Barrett.	Mackay.
Barron.	Mathis.
Bedford.	McClain.
Bourne.	Metcalfe.
Bradley.	Mitcham.
Calvert.	Moffett.
Canon.	Morrison.
Cathey.	Morse.
Celaya.	Munson.
Chastain.	Nicholson.
Clayton.	Palmer.
Coombes.	Parkhouse.
Daniel.	Pavlica.
Davidson.	Puryear.
Dean.	Ramsey.
Devall.	Ratliff.
Dunagan.	Reader.
Dwyer.	Reed of Bowie.
Fain.	Reed of Dallas.
Few.	Renfro.
Ford.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rollins.
Golson.	Russell.
Good.	Savage.
Griffith.	Scarborough.
Hankamer.	Scott.
Harman.	Shannon.
Harris.	Shults.
Harrison.	Smith.
Hartzog.	Stanfield.
Hester.	Steward.
Hicks.	Stinson.
Hill of Brazoria.	Stovall.
Hill of Webb.	Sullivant.
Holekamp.	Tarwater.
Holland.	Tennyson.
Hoskins.	Thomas.
Huddleston.	Tillery.
Hughes.	Townsend.
Hunt.	Turlington.
Hyder.	Van Zandt.
James.	Vaughan.
Johnson	Wagstaff.
of Anderson.	Walker.
Jones of Atascosa.	Weinert.
Jones of Runnels.	Winningham.
Kayton.	Wood.
Kyle of Hays.	Young.

## Absent

Anderson	Colson.
of Bexar.	Cowley.
Beck.	Crossley.
Burns.	Dunlap.
Camp.	Duvall.
Caven.	Engelhard.

Goodman.	McGregor.
Graves.	Merritt.
Greathouse.	Moore.
Haag.	Patterson.
Hodges.	Pope.
Holloway.	Ray.
Jackson.	Riddle.
Jefferson.	Rogers
Jones of Shelby.	of Ochiltree.
Leonard.	Ross.
Long.	Wells.
McDougald.	

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McCullough.
	McKee.

## BILL LAID ON THE TABLE SUBJECT TO CALL

Mr. Dunagan moved that House Bill No. 905 be laid on the table subject to call.

The motion prevailed.

## NOTICE GIVEN

Mr. Stovall gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 913, which bill had heretofore been laid on the table subject to call.

## SENATE JOINT RESOLUTION NO. 16 ON SECOND READING

The Speaker laid before the House, on its second reading,

S. J. R. No. 16, Proposing amendment to Section 1, of Article VIII, of the Constitution of the State of Texas. Providing that taxation of real property shall be equal and uniform; and all property, whether owned by natural persons or corporations, other than municipal, shall be taxed in proportion to its value as may be ascertained as provided by law; that the Legislature may make reasonable classification of all property other than real property for the purpose of taxation; providing that the taxation of property in any class shall be equal and uniform; and providing that the Legislature may impose a poll tax and may impose an occupation tax on natural persons and corporations, other than municipal, doing business in this State; etc.

The resolution was read second time.



Mr. Barron offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 16, page 2, by inserting after the word "taxation," in line 13, the following: "and may impose different rates thereon."

The amendment was adopted.

Senate Joint Resolution No. 16 was then passed by the following vote:

#### Yeas—102

Adamson.	Jones of Shelby.
Aikin.	Kyle of Palo Pinto.
Alexander.	Laird.
Alsup.	Latham.
Anderson	Lemens.
of Johnson.	Lotief.
Barrett.	Magee.
Barron.	Mathis.
Bedford.	McClain.
Bourne.	McDougald.
Bradley.	McGregor.
Calvert.	Merritt.
Canon.	Mitcham.
Cathey.	Moffett.
Caven.	Moore.
Chastain.	Morrison.
Colson.	Morse.
Coombes.	Nicholson.
Crossley.	Palmer.
Daniel.	Parkhouse.
Davidson.	Pavlica.
Dean.	Puryear.
Devall.	Ramsey.
Dunlap.	Ratliff.
Dunagan.	Ray.
Duvall.	Renfro.
Fain.	Riddle.
Ford.	Rogers of Hunt.
Fuchs.	Rollins.
Glass.	Russell.
Golson.	Scarborough.
Greathouse.	Shannon.
Griffith.	Shults.
Hankamer.	Smith.
Harris.	Stanfield.
Hartzog.	Steward.
Hester.	Stinson.
Hicks.	Stovall.
Hill of Brazoria.	Sullivant.
Hill of Webb.	Tarwater.
Hodges.	Tennyson.
Holloway.	Thomas.
Hoskins.	Tillery.
Hughes.	Townsend.
Hunt.	Turlington.
Hyder.	Van Zandt.
Jackson.	Wagstaff.
James.	Walker.
Jefferson.	Weinert.
Johnson	Winningham.
of Anderson.	Wood.
Jones of Runnels.	Young.

#### Nays—8

Baker.	Munson.
Dwyer.	Reed of Bowie.
Harman.	Reed of Dallas.
Lindsey.	Vaughan.

#### Absent

Anderson	Jones of Atascosa.
of Bexar.	Kayton.
Beck.	Kyle of Hays.
Burns.	Leonard.
Camp.	Long.
Celaya.	Mackay.
Clayton.	Metcalfe.
Cowley.	Patterson.
Engelhard.	Pope.
Few.	Reader.
Good.	Roberts.
Goodman.	Rogers
Graves.	of Ochiltree.
Haag.	Ross.
Harrison.	Savage.
Holekamp.	Scott.
Holland.	Wells.
Huddleston.	

#### Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McCullough.
	McKee.

#### SENATE JOINT RESOLUTION NO. 19 ON SECOND READING

The Speaker laid before the House, on its second reading,

S. J. R. No. 19, Proposing amendment to Section 5, of Article VII, of the Constitution of the State of Texas; providing for its submission to the voters of the State of Texas as required by the Constitution, and making appropriation therefor.

The resolution was read second time, and was passed to third reading by the following vote:

#### Yeas—95

Aikin.	Chastain.
Alexander.	Colson.
Anderson	Crossley.
of Johnson.	Davidson.
Barrett.	Dean.
Barron.	Dunagan.
Bedford.	Dwyer.
Bourne.	Fain.
Calvert.	Few.
Camp.	Ford.
Canon.	Fuchs.
Cathey.	Glass.
Caven.	Golson.
Celaya.	Goodman.

Graves.	Nicholson.
Griffith.	Parkhouse.
Hankamer.	Patterson.
Harman.	Pavlica.
Harris.	Ratliff.
Hartzog.	Ray.
Hester.	Reader.
Hicks.	Reed of Bowie.
Hill of Brazoria.	Reed of Dallas.
Hill of Webb.	Renfro.
Hoskins.	Riddle.
Hunt.	Roberts.
Hyder.	Rogers of Hunt.
Jackson.	Rogers
James.	of Ochiltree.
Jefferson.	Rollins.
Johnson	Russell.
of Anderson.	Savage.
Jones of Runnels.	Scarborough.
Jones of Shelby.	Shannon.
Kyle of Palo Pinto.	Shults.
Laird.	Smith.
Latham.	Stanfield.
Lemens.	Steward.
Long.	Stinson.
Lotief.	Stovall.
Magee.	Sullivant.
Mackay.	Thomas.
Mathis.	Turlington.
McClain.	Van Zandt.
McDougald.	Vaughan.
McGregor.	Wagstaff.
Merritt.	Walker.
Moffett.	Weinert.
Morrison.	Wood.

## Nays—16

Adamson.	Moore.
Alsup.	Morse.
Bradley.	Munson.
Coombes.	Pope.
Daniel.	Puryear.
Hodges.	Ramsey.
Huddleston.	Tillery.
Lindsey.	Winningham.

## Absent

Anderson	Holloway.
of Bexar.	Hughes.
Baker.	Jones of Atascosa.
Beck.	Kayton.
Burns.	Kyle of Hays.
Clayton.	Leonard.
Cowley.	Metcalf.
Devall.	Mitcham.
Dunlap.	Palmer.
Duvall.	Ross.
Engelhard.	Scott.
Good.	Tarwater.
Greathouse.	Tennyson.
Haag.	Townsend.
Harrison.	Wells.
Holekamp.	Young.
Holland.	

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McCullough.
	McKee.

SENATE JOINT RESOLUTION NO.  
30 ON SECOND READING

The Speaker laid before the House, on its second reading,

S. J. R. No. 30, Proposing an amendment to Article III, of the Constitution of the State of Texas, to be known as Section 51-a; providing that the Legislature may authorize by law the issuance and sale of bonds of the State of Texas, not to exceed the sum of \$20,000,000, etc.

The resolution was read second time.

Mrs. Hughes offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 30 by adding at the end of Section 1 the following:

"Provided that the Legislature shall apply the revenue, or so much thereof as may be necessary, arising from a graduated income tax to the payment of the interest and for the redemption of any bond issued under the terms hereof; and it is expressly stipulated and provided herein that no sales tax and no property tax on any property, real, or personal, shall ever be levied, assessed, or collected to pay the interest or principal on any such bonds and the indebtedness as evidenced by such bonds shall never become a charge against or lien upon any property, real, or personal, within this State."

Mr. McGregor raised a point of order on further consideration of the amendment by Mrs. Hughes, on the ground that the amendment is not germane to the resolution.

The Speaker overruled the point of order.

Mr. Moore offered the following substitute for the amendment by Mrs. Hughes:

Substitute for amendment to Senate Joint Resolution No. 30 by adding to Section 1 thereof the following:

"Provided that the principal and interest of such bonds shall be paid out of a tax on alcoholic liquors of such alcoholic content, and sold under

such regulations as the Legislature may provide."

Mr. Moore moved the previous question on the pending amendments, and the main question was ordered.

Question recurring on the substitute amendment by Mr. Moore, yeas and nays were demanded.

The substitute amendment was lost by the following vote:

#### Yeas—23

Anderson	Hyder.
of Bexar.	Jackson.
Baker.	Long.
Clayton.	Mathis.
Duvall.	Moore.
Haag.	Morse.
Hankamer.	Palmer.
Harrison.	Ramsey.
Hartzog.	Reed of Dallas.
Hill of Brazoria.	Shannon.
Hill of Webb.	Steward.
Hoskins.	Weinert.

#### Nays—109

Adamson.	Harris.
Aikin.	Hester.
Alexander.	Hicks.
Alsup.	Hodges.
Anderson	Holekamp.
of Johnson.	Huddleston.
Barrett.	Hughes.
Barron.	Hunt.
Beck.	James.
Bedford.	Jones of Atascosa.
Bourne.	Jones of Runnels.
Bradley.	Jones of Shelby.
Burns.	Kayton.
Calvert.	Kyle of Hays.
Camp.	Kyle of Palo Pinto.
Canon.	Laird.
Cathey.	Latham.
Caven.	Lemens.
Chastain.	Leonard.
Coombes.	Lindsey.
Cowley.	Lotief.
Crossley.	Mackay.
Daniel.	Magee.
Davidson.	McClain.
Devall.	McDougald.
Dunlap.	McGregor.
Dunagan.	Merritt.
Dwyer.	Mitcham.
Engelhard.	Moffett.
Fain.	Morrison.
Few.	Munson.
Ford.	Nicholson.
Fuchs.	Parkhouse.
Glass.	Patterson.
Golson.	Pavlica.
Goodman.	Pope.
Griffith.	Puryear.
Harman.	Ratliff.

Ray.	Stinson.
Reader.	Stovall.
Reed of Bowie.	Sullivan.
Renfro.	Tarwater.
Riddle.	Tennyson.
Roberts.	Thomas.
Rogers of Hunt.	Tillery.
Rogers	Townsend.
of Ochiltree.	Turlington.
Rollins.	Van Zandt.
Ross.	Vaughan.
Russell.	Wagstaff.
Savage.	Walker.
Scarborough.	Wells.
Scott.	Winningham.
Shults.	Wood.
Smith.	Young.
Stanfield.	

#### Absent

Celaya.	Holland.
Colson.	Holloway.
Dean.	Jefferson.
Good.	Johnson
Graves.	of Anderson.
Greathouse.	Metcalf.

#### Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McCullough.
	McKee.

Question then recurring on the amendment by Mrs. Hughes, yeas and nays were demanded.

The amendment was lost by the following vote:

#### Yeas—52

Aikin.	Hughes.
Alsup.	Hyder.
Anderson	James.
of Johnson.	Lemens.
Barron.	Leonard.
Beck.	Lotief.
Bradley.	Mackay.
Burns.	Moffett.
Camp.	Palmer.
Canon.	Patterson.
Caven.	Puryear.
Coombes.	Reed of Bowie.
Crossley.	Rogers of Hunt.
Daniel.	Rogers of Ochiltree.
Devall.	Rollins.
Fain.	Russell.
Ford.	Scott.
Glass.	Shults.
Goodman.	Smith.
Graves.	Stovall.
Greathouse.	Tarwater.
Haag.	Van Zandt.
Harris.	Vaughan.
Hicks.	Weinert.
Hill of Brazoria.	Winningham.
Hodges.	Wood.
Hoskins.	

## Nays—82

Adamson.	Long.
Alexander.	Magee.
Anderson	Mathis.
of Bexar.	McClain.
Baker.	McDougald.
Barrett.	McGregor.
Bedford.	Merritt.
Bourne.	Mitcham.
Calvert.	Moore.
Cathey.	Morrison.
Celaya.	Morse.
Chastain.	Munson.
Clayton.	Nicholson.
Colson.	Parkhouse.
Cowley	Pavlica.
Davidson.	Pope.
Dunlap.	Ramsey.
Dunagan.	Ratliff.
Dwyer.	Ray.
Engelhard.	Reader.
Few.	Reed of Dallas.
Golson.	Renfro.
Griffith.	Riddle.
Hankamer.	Roberts.
Harman.	Ross.
Harrison.	Savage.
Hartzog.	Scarborough.
Hester.	Shannon.
Hill of Webb.	Stanfield.
Holekamp.	Steward.
Huddleston.	Stinson.
Hunt.	Sullivant.
Jackson.	Tennyson.
Jones of Atascosa.	Thomas.
Jones of Runnels.	Tillery.
Jones of Shelby.	Townsend.
Kayton.	Turlington.
Kyle of Hays.	Wagstaff.
Kyle of Palo Pinto.	Walker.
Laird.	Wells.
Latham.	Young.
Lindsey.	

## Absent

Dean.	Holloway.
Duvall.	Jefferson.
Fuchs.	Johnson
Good.	of Anderson.
Holland.	Metcalf.

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McCullough.
	McKee.

Mr. Anderson of Bexar moved the previous question on the pending amendments on the Speaker's desk and the resolution, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

## Yeas—78

Adamson.	Kayton.
Alsup.	Laird.
Anderson	Latham.
of Bexar.	Long.
Anderson	Lotief.
of Johnson.	Magee.
Baker.	Mackay.
Barrett.	Mathis.
Barron.	McClain.
Bedford.	McGregor.
Bourne.	Merritt.
Bradley.	Moore.
Caven.	Morse.
Celaya.	Nicholson.
Clayton.	Patterson.
Colson.	Pavlica.
Davidson.	Pope.
Dunlap.	Ramsey.
Dunagan.	Ratliff.
Duvall.	Ray.
Dwyer.	Reader.
Ford.	Reed of Bowie.
Fuchs.	Renfro.
Golson.	Riddle.
Griffith.	Ross.
Haag.	Savage.
Harrison.	Shannon.
Hartzog.	Shults.
Hicks.	Smith.
Hill of Brazoria.	Steward.
Hill of Webb.	Sullivant.
Holekamp.	Tillery.
Hoskins.	Townsend.
Hunt.	Van Zandt.
Jackson.	Wagstaff.
James.	Walker.
Jefferson.	Weinert.
Jones of Atascosa.	Wells.
Jones of Runnels.	Wood.
Jones of Shelby.	Young.

## Nays—51

Aikin.	Harris.
Alexander.	Huddleston.
Beck.	Hughes.
Burns.	Hyder.
Calvert.	Kyle of Hays.
Camp.	Kyle of Palo Pinto.
Canon.	Leonard.
Chastain.	Lindsey.
Coombes.	McDougald.
Cowley.	Mitcham.
Daniel.	Moffett.
Devall.	Munson.
Engelhard.	Palmer.
Fain.	Parkhouse.
Few.	Purveyer.
Glass.	Reed of Dallas.
Graves.	Roberts.
Greathouse.	Rogers of Hunt.
Hankamer.	Rogers
Harman.	of Ochiltree.

Rollins.	Tarwater.
Russell.	Tennyson.
Scarborough.	Thomas.
Stanfield.	Turlington.
Stinson.	Vaughan.
Stovall.	Winningham.

## Absent

Cathey.	Holloway.
Crossley.	Johnson
Dean.	of Anderson.
Good.	Lemens.
Goodman.	Metcalf.
Hester.	Morrison.
Hodges.	Scott.
Holland.	

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McCullough.
	McKee.

Mr. Calvert offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 30 by striking out Section 1, and inserting in lieu thereof the following:

"Section 1. That Article III, of the Constitution of the State of Texas, be amended by adding thereto another Section, to be known and designated as Section 51-a, which shall read as follows:

" 'Section 51-a. The Legislature of the State of Texas is authorized and empowered to make appropriations of public money to be used for the destitute and needy in times of economic stress and unemployment; provided, however, the economic conditions herein referred to are State-wide and not confined to any one locality. The appropriation herein authorized shall be provided for by some form of taxation authorized under the Constitution of this State, other than a tax on real property. The authority herein granted shall be limited to two years from and after the adoption of this grant of power by the people.' "

CALVERT,  
ROBERTS,  
WALKER,  
ALEXANDER,  
DANIEL,  
METCALFE.

Mr. McGregor raised a point of order on further consideration of the amendment by Mr. Calvert, on the ground that the amendment is not germane to the resolution.

Question—Shall the point of order be sustained?

## RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled resolutions:

S. C. R. No. 65, Relative to the auditing of the Permanent School Fund.

H. C. R. No. 21, Relative to Highway Patrol.

On motion of Mr. Wells, the House, at 12 o'clock m., agreed to stand at ease until 2 o'clock p. m., today.

The House reconvened at 2 o'clock p. m., and was called to order by the Speaker.

## SENATE JOINT RESOLUTION NO. 30 ON SECOND READING

The House resumed consideration of pending business, same being Senate Joint Resolution No. 30, proposing an amendment to the Constitution of Texas in regard to the issuance and sale of State bonds; the resolution having heretofore been read second time, with amendment by Mr. Calvert, and point of order by Mr. McGregor on further consideration of the amendment by Mr. Calvert, pending.

The Speaker overruled the pending point of order.

Mr. Moffett moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider prevailed.

Question then recurring on the motion for the main question, it was lost.

Mr. Van Zandt moved that further consideration of the resolution be postponed until 10 o'clock a. m., tomorrow.

The motion was lost.

Mr. Renfro moved the previous question on the pending amendment on the Speaker's desk and the resolution, and the main question was ordered.

Question recurring on the amendment, yeas and nays were demanded.

The amendment by Mr. Calvert was lost by the following vote:

## Yeas—58

Aikin.	Jones of Runnels.
Alexander.	Kyle of Palo Pinto.
Anderson	Lemens.
of Johnson.	Leonard.
Barrett.	Lindsey.
Barron.	Metcalf.
Burns.	Moffett.
Calvert.	Morrison.
Camp.	Puryear.
Canon.	Ramsey.
Caven.	Ratliff.
Coombes.	Reed of Dallas.
Cowley.	Roberts.
Crossley.	Rogers
Daniel.	of Ochiltree.
Dean.	Rollins.
Devall.	Savage.
Fain.	Scott.
Glass.	Shults.
Goodman.	Stanfield.
Graves.	Stovall.
Greathouse.	Sullivant.
Haag.	Tarwater.
Harris.	Tennyson.
Hicks.	Van Zandt.
Hodges.	Walker.
Holekamp.	Weinert.
Hughes.	Winningham.
Hyder.	Wood.
James.	Young.

## Nays—76

Adamson.	Holloway.
Alsup.	Huddleston.
Anderson	Jackson.
of Bexar.	Jefferson.
Baker.	Johnson
Beck.	of Anderson.
Bedford.	Jones of Atascosa.
Bourne.	Jones of Shelby.
Bradley.	Kayton.
Cathey.	Laird.
Celaya.	Long.
Chastain.	Lotief.
Clayton.	Mackay.
Colson.	Magee.
Davidson.	Mathis.
Dunlap.	McClain.
Dunagan.	McCullough.
Duvall.	McDougald.
Dwyer.	McGregor.
Few.	Merritt.
Fuchs.	Mitcham.
Golson.	Moore.
Good.	Morse.
Griffith.	Munson.
Hankamer.	Nicholson.
Harman.	Palmer.
Harrison.	Parkhouse.
Hartzog.	Pavlica.
Hester.	Pope.
Holland.	Ray.

Reader.	Steward.
Reed of Bowie.	Stinson.
Renfro.	Thomas.
Riddle.	Tillery.
Rogers of Hunt.	Townsend.
Ross.	Turlington.
Russell.	Vaughan.
Scarborough.	Wagstaff.
Shannon.	Wells.

## Absent

Engelhard.	Hunt.
Ford.	Kyle of Hays.
Hill of Brazoria.	Latham.
Hill of Webb.	Patterson.
Hoskins.	Smith.

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

Mr. Rogers of Ochiltree offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 30 by inserting after the second paragraph of said resolution the following:

"Provided, however, that only property taxpaying citizens, who have rendered their property for taxation and possessing all other qualifications for voting, may vote on the proposition to issue bonds, herein provided, and by punctuating said Section accordingly."

ROGERS,  
WEINERT,  
FAIN.

Mr. Van Zandt raised the following point of order:

"Mr. Speaker: I raise the point of order on amendment by Mr. Rogers of Ochiltree because same is a statutory requirement as to who may vote thereon, which is inconsistent with the law governing elections on constitutional amendments and which amendment will have no force or effect until adopted at the election at which the amendment would have been voted upon."

The Speaker sustained the point of order.

Mr. Metcalfe offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 30 by adding at the end of Section 1 the following:

"Provided, that the Legislature shall provide for the payment of the in-

terest and redemption of any bonds issued under the terms hereof from some source other than a tax on real property, and the indebtedness, as evidenced by such bonds, shall never become a charge against, or lien upon, any property, real or personal, within this State."

METCALFE,  
FAIN.

The amendment was adopted by the following vote:

Yeas—73

Aikin.	Kyle of Palo Pinto.
Alexander.	Lemens.
Anderson	Leonard.
of Johnson.	Lindsey.
Baker.	Lotief.
Barrett.	Mackay.
Barron.	McDougald.
Beck.	Merritt.
Burns.	Metcalfe.
Calvert.	Moffett.
Camp.	Morrison.
Canon.	Patterson.
Caven.	Puryear.
Chastain.	Ramsey.
Coombes.	Reed of Bowie.
Cowley.	Reed of Dallas.
Crossley.	Roberts.
Daniel.	Rogers
Dean.	of Ochiltree.
Devall.	Rollins.
Dunagan.	Russell.
Engelhard.	Scarborough.
Fain.	Scott.
Ford.	Shults.
Glass.	Smith.
Good.	Stanfield.
Goodman.	Stovall.
Graves.	Sullivant.
Greathouse.	Tarwater.
Haag.	Turlington.
Harris.	Van Zandt.
Hill of Brazoria.	Vaughan.
Hodges.	Walker.
Hoskins.	Weinert.
Hughes.	Winningham.
Hyder.	Wood.
James.	Young.
Jones of Runnels.	

Nays—57

Adamson.	Dunlap.
Alsup.	Duvall.
Anderson	Dwyer.
of Bexar.	Fuchs.
Bedford.	Golson.
Bourne.	Griffith.
Bradley.	Hankamer.
Cathey.	Harman.
Celaya.	Harrison.
Colson.	Hartzog.
Davidson.	Hester.

Hicks.	Nicholson.
Holekamp.	Palmer.
Holland.	Parkhouse.
Huddleston.	Pavlica.
Jackson.	Pope.
Jefferson.	Ratliff.
Johnson	Ray.
of Anderson.	Reader.
Jones of Atascosa.	Renfro.
Kayton.	Rogers of Hunt.
Magee.	Ross.
Mathis.	Savage.
McClain.	Shannon.
McCullough.	Steward.
McGregor.	Tillery.
Mitcham.	Townsend.
Moore.	Wagstaff.
Morse.	Wells.
Munson.	

Present—Not Voting

Thomas.

Absent

Clayton.	Laird.
Few.	Latham.
Hill of Webb.	Long.
Holloway.	Riddle.
Hunt.	Stinson.
Jones of Shelby.	Tennyson.
Kyle of Hays.	

Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

Mr. Morrison offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 30 by striking out, in lines 2 and 3, page 2, the words and figures "twenty million dollars (\$20,000,000)," and insert in lieu thereof "fifteen million dollars (\$15,000,000)"; also insert the words and figures "fifteen million dollars (\$15,000,000)" in every other place in this resolution where the words and figures "twenty million dollars (\$20,000,000)" appear.

The amendment was lost.

Mr. Coombes offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 30, page 2, line 14, by striking out all after the words "the amount stated and," and insert the words "to January 1, 1935."

The amendment was lost.

Mr. Leonard offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 30 by adding, after the word "date," in line 5, on page 2, of the printed

resolution, the following: "and said bonds shall be sold for not less than par and accrued interest, and no form of commission shall be allowed in any transaction involving said bonds."

Question recurring on the amendment by Mr. Leonard, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—105

Adamson.	Jefferson.
Aikin.	Johnson
Alexander.	of Anderson.
Alsup.	Jones of Runnels.
Anderson	Kyle of Palo Pinto.
of Johnson.	Latham.
Baker.	Lemens.
Barron.	Leonard.
Beck.	Lindsey.
Bourne.	Long.
Bradley.	Lotief.
Burns.	Mackay.
Calvert.	Magee.
Camp.	Mathis.
Canon.	McDougald.
Cathey.	McGregor.
Caven.	Merritt.
Celaya.	Metcalfe.
Chastain.	Mitcham.
Coombes.	Moffett.
Cowley.	Moore.
Crossley.	Morrison.
Daniel.	Morse.
Dean.	Munson.
Devall.	Nicholson.
Dunlap.	Palmer.
Duvall.	Parkhouse.
Fain.	Pavlica.
Ford.	Puryear.
Fuchs.	Ramsey.
Glass.	Ratliff.
Golson.	Reed of Bowie.
Good.	Reed of Dallas.
Graves.	Roberts.
Greathouse.	Rogers of Hunt.
Griffith.	Rogers
Haag.	of Ochiltree.
Hankamer.	Ross.
Harman.	Russell.
Harris.	Scarborough.
Harrison.	Scott.
Hartzog.	Shults.
Hester.	Smith.
Hicks.	Stanfield.
Hodges.	Stovall.
Holekamp.	Sullivant.
Holloway.	Tarwater.
Hoskins.	Tennyson.
Hughes.	Turlington.
Hunt.	Van Zandt.
Hyder.	Vaughan.
James.	Walker.

Weinert.  
Wells.

Winningham.  
Wood.

## Nays—26

Anderson	McClain.
of Bexar.	McCullough.
Barrett.	Ray.
Bedford.	Reader.
Clayton.	Renfro.
Colson.	Riddle.
Dwyer.	Rollins.
Few.	Shannon.
Hill of Webb.	Steward.
Holland.	Stinson.
Jackson.	Tillery.
Jones of Atascosa.	Townsend.
Jones of Shelby.	Wagstaff.
Kayton.	

## Present—Not Voting

Davidson.

## Absent

Dunagan.	Laird.
Engelhard.	Patterson.
Goodman.	Pope.
Hill of Brazoria.	Savage.
Huddleston.	Thomas.
Kyle of Hays.	Young.

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

Mr. Camp offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 30 by striking out line 36, page 1.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

## Yeas—23

Aikin.	Harman.
Burns.	Hyder.
Camp.	James.
Canon.	Long.
Coombes.	Mitcham.
Cowley.	Reed of Bowie.
Crossley.	Scott.
Daniel.	Shults.
Dean.	Stovall.
Ford.	Van Zandt.
Graves.	Vaughan.
Greathouse.	

## Nays—111

Adamson.	Baker.
Alexander.	Barrett.
Alsup.	Barron.
Anderson	Beck.
of Bexar.	Bedford.
Anderson	Bourne.
of Johnson.	Bradley.



Calvert.	McCullough.
Cathey.	McDougald.
Caven.	McGregor.
Celaya.	Metcalfe.
Clayton.	Moffett.
Davidson.	Moore.
Devall.	Morrison.
Dunlap.	Morse.
Dunagan.	Munson.
Duvall.	Nicholson.
Dwyer.	Palmer.
Engelhard.	Parkhouse.
Fain.	Patterson.
Few.	Pavlica.
Fuchs.	Puryear.
Glass.	Ramsey.
Golson.	Ratliff.
Good.	Ray.
Griffith.	Reader.
Hankamer.	Reed of Dallas.
Harris.	Renfro.
Harrison.	Riddle.
Hartzog.	Roberts.
Hester.	Rogers of Hunt.
Hill of Brazoria.	Rogers
Hill of Webb.	of Ochiltree.
Hodges.	Rollins.
Holekamp.	Ross.
Holland.	Russell.
Holloway.	Savage.
Hoskins.	Scarborough.
Huddleston.	Shannon.
Hughes.	Smith.
Jackson.	Stanfield.
Jefferson.	Steward.
Johnson	Stinson.
of Anderson.	Sullivant.
Jones of Atascosa.	Tarwater.
Jones of Runnels.	Tennyson.
Jones of Shelby.	Thomas.
Kayton.	Tillery.
Kyle of Hays.	Townsend.
Kyle of Palo Pinto.	Turlington.
Laird.	Wagstaff.
Latham.	Walker.
Lindsey.	Weinert.
Lotief.	Wells.
Mackay.	Winningham.
Magee.	Wood.
Mathis.	Young.
McClain.	

## Present—Not Voting

Goodman.

## Absent

Chastain.	Lemens.
Colson.	Leonard.
Haag.	Merritt.
Hicks.	Pope.
Hunt.	

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

Senate Joint Resolution No. 30 was then passed to third reading by the following vote:

## Yeas—94

Adamson.	Lemens.
Alsup.	Lindsey.
Anderson	Lotief.
of Bexar.	Magee.
Baker.	Mackay.
Barrett.	Mathis.
Barron.	McClain.
Bedford.	McCullough.
Bradley.	McDougald.
Cathey.	McGregor.
Caven.	Metcalfe.
Celaya.	Moffett.
Clayton.	Moore.
Davidson.	Morse.
Dunlap.	Munson.
Dunagan.	Nicholson.
Duvall.	Palmer.
Dwyer.	Parkhouse.
Engelhard.	Patterson.
Few.	Pavlica.
Fuchs.	Pope.
Griffith.	Puryear.
Haag.	Ramsey.
Hankamer.	Ratliff.
Harris.	Ray.
Harrison.	Reader.
Hartzog.	Reed of Dallas.
Hester.	Renfro.
Hill of Brazoria.	Roberts.
Hill of Webb.	Rogers of Hunt.
Hodges.	Rollins.
Holekamp.	Ross.
Holland.	Russell.
Holloway.	Savage.
Hoskins.	Shannon.
Huddleston.	Smith.
Hughes.	Steward.
Jackson.	Stinson.
Jefferson.	Sullivant.
Johnson	Thomas.
of Anderson.	Tillery.
Jones of Atascosa.	Townsend.
Jones of Runnels.	Turlington.
Jones of Shelby.	Wagstaff.
Kayton.	Weinert.
Kyle of Palo Pinto.	Wells.
Laird.	Winningham.
Latham.	Wood.

## Nays—44

Aikin.	Coombes.
Alexander.	Cowley.
Anderson	Crossley.
of Johnson.	Daniel.
Beck.	Dean.
Bourne.	Devall.
Burns.	Fain.
Calvert.	Ford.
Camp.	Good.
Canon.	Graves.
Chastain.	Greathouse.

Harman.	Scarborough.
Hicks.	Scott.
Hunt.	Shults.
Hyder.	Stanfield.
James.	Stovall.
Long.	Tarwater.
Merritt.	Tennyson.
Mitcham.	Van Zandt.
Morrison.	Vaughan.
Reed of Bowie.	Walker.
Riddle.	Young.
Rogers of Ochiltree.	

## Present—Not Voting

Glass.	Leonard.
Goodman.	

## Absent

Colson.	Kyle of Hays.
Golson.	

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

Mr. McGregor moved to reconsider the vote by which the resolution was passed to third reading.

The motion to reconsider prevailed.

Senate Joint Resolution No. 30 was then passed to third reading by the following vote:

## Yeas—85

Alsup.	Holloway.
Anderson	Hoskins.
of Bexar.	Huddleston.
Barrett.	Hughes.
Bradley.	Jackson.
Caven.	Jefferson.
Celaya.	Jones of Atascosa.
Clayton.	Jones of Runnels.
Colson.	Jones of Shelby.
Davidson.	Kayton.
Dunlap.	Kyle of Palo Pinto.
Dunagan.	Laird.
Duvall.	Latham.
Dwyer.	Lemens.
Engelhard.	Lotief.
Few.	Mackay.
Fuchs.	Magee.
Golson.	Mathis.
Griffith.	McClain.
Hankamer.	McCullough.
Harris.	McDougald.
Harrison.	McGregor.
Hartzog.	Moffett.
Hester.	Moore.
Hill of Brazoria.	Morse.
Hill of Webb.	Nicholson.
Hodges.	Palmer.
Holekamp.	Parkhouse.
Holland.	Patterson.

Pavlica.	Savage.
Pope.	Shannon.
Puryear.	Smith.
Ramsey.	Steward.
Ratliff.	Stinson.
Ray.	Sullivant.
Reader.	Thomas.
Reed of Dallas.	Tillery.
Renfro.	Townsend.
Roberts.	Turlington.
Rogers of Hunt.	Wagstaff.
Rollins.	Weinert.
Ross.	Wells.
Russell.	Wood.

## Nays—49

Adamson.	James.
Aikin.	Johnson
Alexander.	of Anderson.
Anderson	Kyle of Hays.
of Johnson.	Leonard.
Baker.	Lindsey.
Beck.	Long.
Bourne.	Merritt.
Burns.	Mitcham.
Calvert.	Morrison.
Camp.	Reed of Bowie.
Canon.	Riddle.
Chastain.	Rogers
Coombes.	of Ochiltree.
Cowley.	Scarborough.
Crossley.	Scott.
Dean.	Shults.
Devall.	Stanfield.
Fain.	Stovall.
Ford.	Tarwater.
Good.	Tennyson.
Graves.	Van Zandt.
Greathouse.	Vaughan.
Harman.	Walker.
Hunt.	Winningham.
Hyder.	Young.

## Present—Not Voting

Glass.	Goodman.
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## Absent

Barron.	Haag.
Bedford.	Hicks.
Cathey.	Metcalf.
Daniel.	Munson.

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

## REASONS FOR VOTES

While I do not in general approve of bond issues, I vote "aye" on Senate Joint Resolution No. 30 because it appears to me but proper that the taxpayer should have an opportunity to vote on the desired relief.

WEINERT.

I vote "aye" on the submission of Senate Joint Resolution No. 30, in order that the people may have an opportunity to pass upon the proposition at the polls. I am fundamentally opposed to bond issues and this class of legislation, and shall, as an individual, oppose its adoption by the electorate, but I recognize it to be a highly controversial matter, and a proposition the voters are entitled to pass upon. In my opinion this legislation is extremely vicious and unwarranted.

BARRON.

I vote "nay" for the reason that a precedent once established that would permit the State to issue bonds for any purpose would be dangerous and would ultimately tend to break down the barriers to our State Constitution; and for the further reason that it is possible to adopt some other measure that would meet the emergency and at the same time meet the approval of the Federal Government. I am not opposed to an emergency relief measure but to the method to be adopted for securing the same.

DEAN.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, May 11, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. S. R. No. 167, Extending an invitation to the State Senate to meet with the House, Thursday, May 11, at 7:30 p. m., to hear mayors and county judges discuss welfare relief work.

The Senate has passed

H. B. No. 897, A bill to be entitled "An Act to create the Texas Rehabilitation and Relief Commission, for the purpose of administering Federal and or State funds for employment, rehabilitation, and/or relief of the unemployed; providing Commission shall cease to exist two (2) years after effective date of Act; defining duties of Commission; providing for appointment of members of Commission, director of Commission, and employees; providing for establishment of county departments of

rehabilitation and relief, their powers, and organization; making an appropriation; and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### MESSAGE FROM THE GOVERNOR

Mr. John H. Davis, Jr., Secretary to the Governor, appeared at the Bar of the House, and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,  
Austin, Texas, May 11, 1933.

To the Forty-third Legislature:

I am transmitting to you herewith, copy of a telegram which I have received from Hon. Robert Fechner, Director of Emergency Conservation Work, which is self-explanatory. Projects proposed for work in Texas were submitted to the Director at Washington under date of April 29, and consideration of these projects is being withheld pending action by the Texas Legislature as outlined in the telegram above referred to. Unless approval is given for work projects in Texas, those eligible for places in the reforestation camps will be transferred to other States.

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Washington, D. C., May 5, 1933.

Miriam A. Ferguson, Governor of  
Texas, Austin, Texas.

Before approving emergency conservation work projects on State, county, and municipally owned land, President desires assurance that you will urge the State Legislature, if now in session, or if not, at its next succeeding session, to enact legislation providing that if, as a result of the work done, the State derives a direct profit from the sale of the land or its products, the proceeds will be divided equally between the State and the Federal Government until the State shall have paid for the work done at the rate of one dollar per man per day for the time spent on projects, subject to a maximum of three

dollars per acre. President desires that no work shall be done on privately-owned land, except as may be necessary in the public interest for regional or State-wide forest protection against fire, insects, and disease, and/or simple flood control measures to arrest gully erosion and flash runoff at headwaters of mountain streams. Where public interest demands work on privately-owned land for these purposes, the President requests that it be conditioned on State assuming responsibility for maintenance of works by landowners or otherwise, and obtaining contracts with the landowners by which the State reserves the right to remove, at its option and without recompense to landowner, any structures or other things of removable values which may result from the work done, including products of trees planted to arrest erosion. Please wire at your earliest convenience whether you agree to this plan.

ROBERT FECHNER,

Director of Emergency Conservation Work.

CONFERENCE COMMITTEE REPORT ON SENATE JOINT RESOLUTION NO. 3

Mr. Morse submitted the following conference committee report on Senate Joint Resolution No. 3:

Committee Room,  
Austin, Texas, May 9, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the Senate and the House of Representatives concerning the proposed amendment to the Constitution of Texas, to provide authority for counties to adopt home rule charters for their own government of local affairs without impairment of the State's sovereignty and superior authority, have had under consideration the whole subject as embodied in House Joint Resolution No. 1, by Morse and Shannon, and Senate Joint Resolution No. 3, by Rawlings and Purl, and beg leave to report and recommend the adoption of Senate Joint Resolution No. 3, as attached hereto, and forming a part

of this report representing a complete adjustment of differences in the measures as passed by the two Houses:

S. J. R. No. 3, Proposing an amendment to the Constitution of the State of Texas by adding to Article IX thereof a new section to be numbered 3, providing that any county having a population of sixty-two thousand (62,000) or more may adopt a home rule charter for the establishment and regulation of its government, and which charter may provide that the commissioners court may serve as the governing body or that some other body may act in lieu thereof; and providing the method of adopting such charter and fixing the powers, as well as limitations on the powers of the governing body of any county adopting such charter; and providing the method of compensating certain officers of such counties and for the consolidation and creation of said offices by the governing body of such counties; and providing for the partial or complete merging of the governments of cities and towns within the county with the county government; and providing for contracts between the county, city, town, and district within the county to perform one or more functions; and providing for the assessment and levying of taxes in counties adopting any such charter, and for the assessment and levying and collection of taxes in merged incorporated cities and towns; and providing for the defining and redefining of the boundaries of cities and towns, and for the defining of urban areas in such counties; and providing for the borrowing of money and the refunding of lawful debts by any such county, and fixing the character of obligations to be issued therefor, and requiring the levying of a tax sufficient to retire obligations prior to the issuance of such obligations; and fixing limitations upon the powers and duties of the governing board of all such counties with reference to levying and assessing taxes and incurring obligations; and providing for the abandonment, revocation and amendment of such charter; and providing that the Legislature may pass all laws consistent herewith which may be necessary to carry out the intent and purposes thereof; and requiring the submission of this amendment at an election, fixing the clauses which shall be printed on the ballot of such

election; and providing for the issuance of a proclamation by the Governor ordering such election and fixing the amount of an appropriation to defray the expenses of such election.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article IX, of the Constitution of Texas, be amended by adding thereto a Section, to be Section 3, which shall provide:

"Section 3. (1) Holding the belief that the highest degree of local self-government, which is consistent with the efficient conduct of those affairs by necessity lodged in the Nation and the State will prove most responsive to the will of the people, and result to reward their diligence and intelligence by greater economy and efficiency in their local governmental affairs, it hereby is ordained:

"(2) Any county having a population of sixty-two thousand (62,000), or more, according to the then last Federal Census, may adopt a county home rule charter, to embrace those powers appropriate hereto, within the specific limitations hereinafter provided. It further is provided that the Legislature, by a favoring vote of two-thirds of the total Membership of both the Senate and the House of Representatives, may authorize any county, having a population less than that above specified, to proceed hereunder for the adoption of a charter; however, as a condition for such authorization, it is required that notice of the intent to seek legislative authority hereunder must be published in one or more newspapers, to give general circulation in the county affected, not less than once per week for four (4) consecutive weeks, and the first of such publications shall appear not less than thirty (30) days next prior to the time an Act making proposal hereunder may be introduced in the Legislature. No county home rule charter may be adopted by any county save upon a favoring vote of the resident qualified electors of the affected county. In elections submitting to the voters a proposal to adopt a charter (unless otherwise provided by a two-thirds vote of the total Membership of each House of the Legislature) the votes cast by the qualified electors residing within the limits of all the incorporated cities and towns

of the county shall be separately kept, but collectively counted, and the votes of the qualified electors of the county who do not reside within the limits of any incorporated city or town likewise shall be separately kept and separately counted, and unless there be a favoring majority of the votes cast within and a favoring majority of the votes cast without such collective cities and towns, the charter shall not be adopted. It is expressly forbidden that any such charter may inconsistently affect the operation of the general laws of the State relating to the judicial, tax, fiscal, educational, police, highway, and health systems, or any other department of the State's superior government. Nothing herein contained shall be deemed to authorize the adoption of a charter provision inimicable to, or inconsistent with, the sovereignty and established public policies of this State, and no provision having such, shall have validity as against the State. No charter provision may operate to impair the exemption of homesteads as established by this Constitution and the statutes relating thereto.

"(3) a. A charter hereunder may provide: The continuance of a county commissioners court, as now constituted, to serve as the governing body of a county to operate hereunder; or, may provide for a governing body otherwise constituted, which shall be elective, and service therein shall be upon such qualifications, for such terms, under such plan of representation, and upon such conditions of tenure and compensation as may be fixed by any such charter. The terms for service in such governing body may exceed two (2) years, but shall not exceed six (6) years. In any event, in addition to the powers and duties provided by any such charter, such governing body shall exercise all powers, and discharge all duties which, in the absence of the provisions hereof, would devolve by law on county commissioners and county commissioners courts. Further, any such charter may provide for the organization, re-organization, establishment, and administration of the government of the county, including the control and regulation of the performance of, and the compensation for, all duties required in the conduct of the county affairs, subject to the limitations herein provided.

"b. A charter hereunder may provide that judges of county courts (including that county court designated in this Constitution), and justices of the peace be compensated upon a salary basis in lieu of fees. The jurisdiction of the county court designated in this Constitution, and the duties of the judges thereof, may be confined to that general jurisdiction of a probate court which elsewhere is defined in this Constitution. The office of justice of the peace may be made either elective or appointive. Other than as herein provided, no such charter shall provide for altering the jurisdiction or procedure of any court. The duties of district attorney and/or county attorney may be confined to representing the State in civil cases to which the State is a party and to enforcement of the State's Penal Code, and the compensation of said attorneys may be fixed on a salary basis in lieu of fees.

"c. Save as hereinbefore and hereinafter otherwise provided, such charters, within the limits expressed therein, may invest the governing body to be established for any county electing to operate hereunder with the power to create, consolidate, or abolish any office or department, whether created by other provisions of the Constitution or by statute, define the duties thereof, fix the compensation for service therein, make the same elective or appointive, and prescribe the time, qualifications, and conditions for tenure in any such office; save, no such charter, other than as hereinbefore authorized, shall provide to regulate the status, service, duties, or compensation of Members of the Legislature, judges of the courts, district attorneys, county attorneys, or any office whatever by the law of the State required to be filled by an election embracing more than one county. Excepting herefrom nominations, elections, or appointments to offices, the terms whereof may not have expired prior to the adoption of this amendment to the Constitution, at such time as a charter provision adopted hereunder may be in effect (save as to those offices which must continue to be elective, as herein elsewhere specified), all terms of county officers and all contracts for the giving of service by deputies under such officers, may be subject to termination by the administrative

body of the county, under an adopted charter so providing, and there shall be no liability by reason thereof.

"d. Any county electing to operate hereunder shall have the power, by charter provision, to levy, assess, and collect taxes (other than taxes to retire authorized bonded indebtedness), to fix the maximum rate for ad valorem taxes to be levied for such specific purpose, in accordance with the Constitution and laws of this State, provided, however, that the limit of the aggregate taxes which may be levied, assessed, and collected hereunder shall not exceed the limit or total fixed, or hereafter to be fixed, by this Constitution to control counties, and the annual assessment upon property, both real, personal, and mixed, shall be a first superior and prior lien thereon.

"e. In addition to the powers herein provided, and in addition to powers included in county home rule charters, any county may, by a majority vote of the qualified electors of said county, amend its charter to include other powers, functions, duties, and rights which now or hereafter may be provided by this Constitution and the statutes of the State for counties.

"(4) Any county operating hereunder shall have the power to borrow money for all purposes lawful under its charter, to include the refunding of a lawful debt, in a manner conforming to the general laws of the State, and may issue therefor its obligations. Such obligations, other than those to refund a lawful debt, shall not be valid unless authorized by a majority of all votes cast by those resident qualified voters of the area affected by the taxes required to retire such obligations, who may vote thereon. In case of county obligations, maturing after a period of five (5) years, the same shall be issued to mature serially, fixing the first maturity of principal at a time not to exceed two (2) years next after the date of the issuance of such obligations. Such obligations may pledge the full faith and credit of the county; but in no event shall the aggregate obligations so issued, in principal amount outstanding at any one time, exceed the then existing constitutional limits for such obligations and such indebtedness, and its

supporting tax shall constitute a first and superior lien upon the property taxable in such county. No obligation issued hereunder shall be valid unless prior to the time of the issuance thereof there be levied a tax sufficient to retire the same as it matures, which tax shall not exceed the then existing constitutional limits.

"(5) Such charter may authorize the governing body of a county operating hereunder to prescribe the schedule of fees to be charged by the officers of the county for specified service, to be in lieu of the schedule for such fees prescribed by the general laws of the State; and, to appropriate such fees to such funds as the charter may prescribe; provided, however, no fee for a specified service shall exceed in amount the fee fixed by general law for that same service. Such charters as to all judicial officers, other than district judges, may prescribe the qualifications for services, provided the standards therefor be not lower than those fixed by the general laws of the State.

"(6) a. Subject to the express limitations upon the exercise of the powers by this subdivision to be authorized, such charters may provide (or omit to provide) that the governmental and/or proprietary functions of any city, town, district, or other defined political subdivision (which is a governmental agency and embraced within the boundaries of the county) be transferred, either as to some, or all, of the functions thereof, and yielded to the control of the administrative body of the county. No such transfer or yielding of functions may be effected, unless the proposal is submitted to a vote of the people, and, unless otherwise provided by a two-thirds vote of the total Membership of each House of the Legislature, such a proposal shall be submitted as a separate issue, and the vote within and without any such city, town, district, or other defined governmental entity, shall be separately cast and counted, and unless two-thirds of the qualified votes cast within the yielding defined governmental entity, and a majority of the qualified votes cast in the remainder of the county, favor the proposed merger, it shall not be effected. In case of the mergers hereby authorized, without express charter provision therefor, in so far as may be required to make effective

the object of the proposed merger, the county shall succeed to all the appropriate lawful powers, duties, rights, procedures, restrictions, and limitations which, prior to the merger, were reposed in, or imposed upon, the yielding governmental agency. Particularly, it is provided that the power to create funded indebtedness and to levy taxes in support thereof may be exercised only by such procedures, and within such limits, as now are, or hereafter may be, provided by law to control such appropriate other governmental agencies were they to be independently administered. Such mergers may be effected under proposed contracts between the county and any such yielding governmental agency, to be approved at an election as hereinbefore provided for. In order to increase governmental efficiency and effect economy, the county may contract with the principal city of the county to perform one or more of its functions, provided such contracts shall not be valid for more than two (2) years.

"b. In case of the partial or complete merger of the government of a city operating under a home rule charter, with the government of a county operating hereunder, those city charter provisions affected thereby shall cease to control, and the county charter provisions shall control.

"c. When any embraced incorporated city or town elects to merge its governmental functions with those of the county under the provisions hereof, such charter may provide for defining or re-defining the boundaries of such cities and towns; provided, however, that in defining or re-defining the boundaries of such cities and towns, such boundaries may be extended only to include those areas contiguous to such cities as are urban in character; and as to such cities or towns and for the benefit thereof the county, in addition to the primary city and county tax herein authorized, and any other lawful district tax, may levy and collect taxes upon the property taxable within such city or town as defined or re-defined, within the limits authorized by Sections 4 and 5, of Article XI, of this Constitution (or any amendment thereof), for incorporated cities according to the population; provided, that no tax greater than that existing at the time of such merger, or for any added purpose,

shall be imposed upon any such city or town unless authorized by a majority of all votes cast by the resident qualified voters of such city or town.

"d. Areas urban in character, though not incorporated, under appropriate charter provision may be defined as such by the governing body of the county; provided, however, that no portion of the county shall be defined as an urban area unless it has sufficient population to entitle it to incorporate under the then existing laws of the State; and no such urban area, when created, shall be vested with any taxing or bonding power which it would not possess if it were operating as a separate incorporated unit under the then existing constitutional and statutory provisions of this State; and provided further, that the governing body of the county for the government of such areas shall have and exercise all powers and authority granted by law to the governing bodies of similar areas when separately incorporated as a city or town, and such areas shall be subject to additional taxation within the same constitutional limits as control taxation for a city or a town of like population. Likewise, such charter may provide for the governing board of the county, subject to existing constitutional and statutory provisions to define, create, and administer districts, and have and exercise the powers and authority granted by the Constitution and laws relative to the same.

"(7) No provision of this Constitution, inconsonant with the provisions of this Section 3, of Article IX, shall be held to control the provisions of a charter adopted hereunder, and conforming herewith. Charters adopted hereunder shall make appropriate provision for the abandonment, revocation, and amendment thereof, subject only to the requirements that there must be a favoring majority of the vote cast upon such a proposal, by the qualified resident electors of the county; and, no charter may forbid amendments thereof for a time greater than two (2) years. The provisions hereof shall be self-executing, subject only to the duty of the Legislature to pass all laws (consistent herewith) which may be necessary to carry out the intent and purpose hereof. Further, the Legislature shall prescribe a proced-

ure, for submitting to decision, by a majority vote of the electors voting thereon, proposed alternate and elective charter provisions."

Sec. 2. The foregoing constitutional amendment shall be submitted to the qualified electors of the State at an election to be held throughout the State, on the fourth Saturday in August, 1933, at which election all ballots shall have printed thereon the following:

"For the amendment to Article IX, of the Constitution of Texas, adding Section 3, providing authority for the adoption of a home rule charter by the voters in counties having a population of sixty-two thousand (62,000), or more, to effect more efficient and economical government within such counties, and to authorize mergers of separate governmental agencies within such counties as may from time to time be authorized by vote of the people therein.

"Against the amendment to Article IX, of the Constitution of Texas, adding Section 3, providing authority for the adoption of a home rule charter by the voters, in counties having a population of sixty-two thousand (62,000) or more, to effect more efficient and economical government within such counties, and to authorize mergers of separate governmental agencies within such counties as may, from time to time, be authorized by vote of the people therein."

Each voter shall scratch out one of the above listed clauses on such ballot, leaving unscratched that particular clause which expresses his vote on the proposed amendment to which it relates.

Sec. 3. The Governor of this State is hereby directed to issue the necessary proclamation ordering an election in conformity herewith to determine whether or not the proposed constitutional amendment, set forth herein, shall be adopted, and the Governor shall have the same published as required by the Constitution and laws of this State.

Sec. 4. The sum of five thousand dollars (\$5,000), or so much thereof as may be necessary, is hereby appropriated, from any funds in the State Treasury not otherwise appropriated,



to defray the expenses of printing said proclamation and holding such election.

Respectfully submitted,

RAWLINGS,  
PURL,  
WOODWARD,  
WOODRUFF,  
REGAN,

On the part of the Senate;

MORSE,  
MOFFETT,  
FORD,  
DEAN,  
SHANNON,

On the part of the House.

On motion of Mr. Morse, the report was adopted by the following vote:

#### Yeas—111

Adamson.	Hicks.
Aikin.	Hill of Brazoria.
Alexander.	Hill of Webb.
Alsup.	Holekamp.
Anderson	Holland.
of Bexar.	Holloway.
Anderson	Hoskins.
of Johnson.	Huddleston.
Barrett.	Hughes.
Barron.	Hunt.
Beck.	Hyder.
Bradley.	Jackson.
Calvert.	James.
Canon.	Jefferson.
Cathey.	Jones of Atascosa.
Caven.	Jones of Runnels.
Celaya.	Kyle of Palo Pinto.
Chastain.	Laird.
Clayton.	Latham.
Colson.	Lemens.
Coombes.	Long.
Cowley.	Lotief.
Crossley.	Magee.
Davidson.	Mackay.
Dean.	Mathis.
Devall.	McClain.
Dunlap.	McDougald.
Dunagan.	McGregor.
Duvall.	Mitcham.
Engelhard.	Moffett.
Fain.	Moore.
Ford.	Morrison.
Fuchs.	Morse.
Glass.	Munson.
Golson.	Nicholson.
Good.	Palmer.
Goodman.	Parkhouse.
Griffith.	Patterson.
Hankamer.	Pavlica.
Harman.	Puryear.
Harrison.	Ramsey.
Hartzog.	Ratliff.
Hester.	Reader.

Reed of Dallas.	Stinson.
Roberts.	Tennyson.
Rogers of Hunt.	Thomas.
Rogers	Tillery.
of Ochiltree.	Townsend.
Rollins.	Turlington.
Ross.	Van Zandt.
Russell.	Wagstaff.
Savage.	Walker.
Shannon.	Weinert.
Shults.	Wells.
Smith.	Winningham.
Stanfield.	Wood.
Steward.	Young.

#### Nays—11

Baker.	Pope.
Bourne.	Reed of Bowie.
Burns.	Scarborough.
Daniel.	Scott.
Leonard.	Vaughan.
Lindsey.	

#### Absent

Bedford.	Kayton.
Camp.	Kyle of Hays.
Dwyer.	McCullough.
Few.	Merritt.
Graves.	Metcalfe.
Greathouse.	Ray.
Haag.	Renfro.
Harris.	Riddle.
Hodges.	Stovall.
Johnson	Sullivan.
of Anderson.	Tarwater.
Jones of Shelby.	

#### Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

#### HOUSE BILL NO. 897 WITH SENATE AMENDMENTS

Mr. Kayton called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 897, A bill to be entitled "An Act to create the Texas Rehabilitation and Relief Commission, for the purpose of administering Federal and/or State funds for employment, rehabilitation, and/or relief of the unemployed; providing Commission shall cease to exist two (2) years after effective date of Act; defining duties of Commission; providing for appointment of members of Commission, director of Commission, and employes; providing for establishment of county departments of rehabilitation and relief, their powers, and organization; making an appropriation; and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Kayton moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committee: Messrs. Kayton, Stinson, Huddleston, Baker, and Davidson.

#### SENATE BILL NO. 440 ON SECOND READING

On motion of Mr. Riddle, by unanimous consent, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading,

S. B. No. 440, A bill to be entitled "An Act to amend Articles 450, 451, and 539, of the Revised Civil Statutes of Texas; providing for the liquidation of solvent banks through the Banking Commissioner of Texas; providing for procedure for such liquidation; and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to third reading.

#### SENATE BILL NO. 440 ON THIRD READING

Mr. Riddle moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 440 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101

Aikin.	Chastain.
Alsup.	Clayton.
Anderson	Coombes.
of Bexar.	Cowley.
Anderson	Crossley.
of Johnson.	Davidson.
Baker.	Dean.
Barrett.	Devall.
Beck.	Dunagan.
Bourne.	Few.
Bradley.	Ford.
Burns.	Glass.
Calvert.	Golson.
Camp.	Good.
Canon.	Goodman.
Celaya.	Graves.

Hankamer.	Patterson.
Harman.	Pavlica.
Harris.	Purveyar.
Hill of Webb.	Ramsey.
Hodges.	Ratliff.
Holekamp.	Ray.
Holland.	Reader.
Hoskins.	Reed of Dallas.
Hughes.	Renfro.
Hyder.	Riddle.
Jackson.	Roberts.
James.	Rogers of Hunt.
Jefferson.	Rogers of Ochiltree.
Johnson	Rollins.
of Anderson.	Russell.
Jones of Atascosa.	Savage.
Jones of Runnels.	Scarborough.
Jones of Shelby.	Shults.
Kayton.	Stanfield.
Kyle of Hays.	Steward.
Kyle of Palo Pinto.	Stinson.
Lemens.	Stovall.
Leonard.	Sullivant.
Lindsey.	Tarwater.
Long.	Tennyson.
Lotief.	Thomas.
Mackay.	Townsend.
McCullough.	Turlington.
McDougald.	Van Zandt.
Mitcham.	Vaughan.
Moffett.	Wagstaff.
Moore.	Walker.
Morrison.	Weinert.
Morse.	Wells.
Nicholson.	Wood.
Parkhouse.	Young.

Nays—3

Reed of Bowie.

Absent

Adamson.	Hill of Brazoria
Alexander.	Holloway.
Barron.	Huddleston.
Bedford.	Hunt.
Cathey.	Laird.
Caven.	Latham.
Colson.	Mathis.
Daniel.	McClain.
Dunlap.	McGregor.
Duvall.	Merritt.
Dwyer.	Metcalfe.
Engelhard.	Munson.
Fuchs.	Palmer.
Greathouse.	Pope.
Griffith.	Ross.
Haag.	Scott.
Harrison.	Shannon.
Hartzog.	Smith.
Hester.	Tillery.
Hicks.	Winningham.

Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

The Speaker then laid Senate Bill No. 440 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—111

Adamson.	Kyle of Hays.
Aikin.	Kyle of Palo Pinto.
Alexander.	Lemens.
Alsup.	Leonard.
Anderson	Lindsey.
of Johnson.	Long.
Baker.	Lotief.
Barrett.	Mackay.
Beck.	Magee.
Bourne.	McClain.
Bradley	McCullough.
Burns.	McDougald.
Calvert.	McGregor.
Canon.	Mitcham.
Caven.	Moffett.
Celaya.	Moore.
Clayton.	Morrison.
Colson.	Morse.
Coombes.	Nicholson.
Cowley.	Parkhouse.
Crossley.	Patterson.
Davidson.	Pavlica.
Dean.	Puryear.
Devall.	Ramsey.
Dunagan.	Ratliff.
Duvall.	Ray.
Engelhard.	Reader.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Ford.	Renfro.
Glass.	Riddle.
Golson.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Rogers of Ochiltree.
Graves.	Rollins.
Hankamer.	Russell.
Harman.	Savage.
Harris.	Scarborough.
Hester.	Shults.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Steward.
Hodges.	Stinson.
Holekamp.	Stovall.
Holland.	Sullivant.
Hoskins.	Tarwater.
Huddleston.	Thomas.
Hughes.	Townsend.
Hunt.	Turlington.
Hyder.	Van Zandt.
Jackson.	Vaughan.
James.	Wagstaff.
Jefferson.	Walker.
Johnson	Weinert.
of Anderson.	Wells.
Jones of Atascosa.	Wood.
Jones of Runnels.	Young.
Jones of Shelby.	

## Nays—2

Chastain.	Greathouse.
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## Absent

Anderson	Kayton.
of Bexar.	Laird.
Barron.	Latham.
Bedford.	Mathis.
Camp.	Merritt.
Cathey.	Metcalfe.
Daniel.	Munson.
Dunlap.	Palmer.
Dwyer.	Pope.
Fuchs.	Ross.
Griffith.	Scott.
Haag.	Shannon.
Harrison.	Smith.
Hartzog.	Tennyson.
Hicks.	Tillery.
Holloway.	Winningham.

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

## SENATE BILL NO. 292 ON SECOND READING

On motion of Mr. Mitcham, by unanimous consent, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading,

S. B. No. 292, A bill to be entitled "An Act to amend Article 2832, Title 49, of the Revised Civil Statutes of 1925, as amended by Senate Bill No. 47, approved August 12, 1931, and repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to third reading.

## SENATE BILL NO. 292 ON THIRD READING

Mr. Mitcham moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 292 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—108

Adamson.	Bourne.
Aikin.	Bradley.
Alexander.	Burns.
Alsup.	Calvert.
Anderson	Camp.
of Johnson.	Canon.
Baker.	Caven.
Barrett.	Celaya.
Beck.	Chastain.

Clayton.	McDougald.
Cowley.	Merritt.
Crossley.	Mitcham.
Davidson.	Moffett.
Dean.	Moore.
Devall.	Morrison.
Dunagan.	Morse.
Dwyer.	Palmer.
Fain.	Patterson.
Few.	Pavlica.
Ford.	Pope.
Glass.	Puryear.
Golson.	Ramsey.
Good.	Ratliff.
Goodman.	Ray.
Graves.	Reader.
Hankamer.	Reed of Bowie.
Harman.	Reed of Dallas.
Harris.	Renfro.
Hill of Brazoria.	Roberts.
Hill of Webb.	Rogers
Holekamp.	of Ochiltree.
Holland.	Rollins.
Hoskins.	Russell.
Huddleston.	Savage.
Hughes.	Scarborough.
Hunt.	Scott.
Hyder.	Shults.
James.	Smith.
Jefferson.	Stanfield.
Johnson	Steward.
of Anderson.	Stinson.
Jones of Atascosa.	Stovall.
Jones of Runnels.	Tarwater.
Jones of Shelby.	Tennyson.
Kyle of Hays.	Thomas.
Kyle of Palo Pinto.	Townsend.
Lemens.	Turlington.
Leonard.	Van Zandt.
Lindsey.	Vaughan.
Long.	Wagstaff.
Lotief.	Walker.
Mackay.	Weinert.
Magee.	Wells.
Mathis.	Wood.
McClain.	Young.
McCullough.	

Nays—1

Greathouse.

Absent

Anderson	Haag.
of Bexar.	Harrison.
Barron.	Hartzog.
Bedford.	Hester.
Cathey.	Hicks.
Colson.	Hodges.
Coombes.	Holloway.
Daniel.	Jackson.
Dunlap.	Kayton.
Duvall.	Laird.
Engelhard.	Latham.
Fuchs.	McGregor.
Griffith.	Metcalfe.

Munson.	Ross.
Nicholson.	Shannon.
Parkhouse.	Sullivant.
Riddle.	Tillery.
Rogers of Hunt.	Winningham.

Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

The Speaker then laid Senate Bill No. 292 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—108

Adamson.	Hughes
Aikin.	Hunt.
Alexander.	James.
Alsup.	Jefferson.
Anderson	Johnson
of Bexar.	of Anderson.
Anderson	Jones of Atascosa.
of Johnson.	Jones of Runnels.
Baker.	Jones of Shelby.
Barrett.	Kyle of Hays.
Beck.	Kyle of Palo Pinto.
Bedford.	Lemens.
Bourne.	Leonard.
Bradley.	Lindsey.
Calvert.	Long.
Camp.	Lotief.
Canon.	Mackay.
Caven.	Magee.
Celaya.	Mathis.
Chastain.	McClain.
Clayton.	McDougald.
Colson.	Merritt.
Coombes.	Mitcham.
Cowley.	Moffett.
Crossley.	Moore.
Davidson.	Morrison.
Dean.	Morse.
Devall.	Palmer.
Dunagan.	Parkhouse.
Dwyer.	Patterson.
Fain.	Pavlica.
Ford.	Pope.
Glass.	Puryear.
Golson.	Ramsey.
Good.	Ratliff.
Goodman.	Ray.
Hankamer.	Reader.
Harman.	Reed of Bowie.
Hill of Brazoria.	Reed of Dallas.
Hill of Webb.	Renfro.
Holekamp.	Roberts.
Holland.	Rogers of Hunt.
Hoskins.	Rogers
Huddleston.	of Ochiltree.

Rollins.	Tennyson.
Savage.	Thomas.
Scarborough.	Townsend.
Scott.	Turlington.
Shults.	Van Zandt.
Smith.	Vaughan.
Stanfield.	Wagstaff.
Steward.	Walker.
Stinson.	Weinert.
Stovall.	Wells.
Sullivant.	Wood.
Tarwater.	Young.

Present—Not Voting

Greathouse.

Absent

Barron.	Holloway.
Burns.	Hyder.
Cathey.	Jackson.
Daniel.	Kayton.
Dunlap.	Laird.
Duvall.	Latham.
Engelhard.	McCullough.
Few.	McGregor.
Fuchs.	Metcalfe.
Graves.	Munson.
Griffith.	Nicholson.
Haag.	Riddle.
Harris.	Ross.
Harrison.	Russell.
Hartzog.	Shannon.
Hester.	Tillery.
Hicks.	Winningham.
Hodges.	

Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

# CONFERENCE COMMITTEE RE- PORT ON SENATE BILL NO. 127

Mr. Van Zandt submitted the following conference committee report on Senate Bill No. 127:

Committee Room,  
Austin, Texas, May 10, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the two Houses on Senate Bill No. 127, have had same under consideration, and beg leave to report back that we have adjusted the differences

between the two Houses, and recommend that the bill be passed as heretofore finally passed by the Senate.

Respectfully submitted,

COLLIE,  
ONEAL,  
WOODRUFF,  
MARTIN,  
MURPHY,

On the part of the Senate;

VAN ZANDT,  
SULLIVANT,  
GOODMAN,  
CAVEN,

On the part of the House.

Mr. Van Zandt moved that the report be adopted.

Mr. Stinson moved that the report be not adopted.

On motion of Mr. Van Zandt, the motion by Mr. Stinson was tabled.

Question then recurring on the motion by Mr. Van Zandt that the report be adopted, it prevailed by the following vote:

Yeas—82

Aikin.	Holland.
Alexander.	Hoskins.
Alsup.	Hughes.
Anderson	Hunt.
of Bexar.	Hyder.
Anderson	Jackson.
of Johnson.	James.
Baker.	Jones of Atascosa.
Bedford.	Jones of Runnels.
Bourne.	Kayton.
Bradley.	Kyle of Hays.
Burns.	Laird.
Calvert.	Leonard.
Camp.	Lindsey.
Canon.	Mackay.
Caven.	Magee.
Clayton.	Mathis.
Colson.	McCullough.
Cowley.	McDougald.
Daniel.	Mitcham.
Davidson.	Moffett.
Dean.	Moore.
Glass.	Morse.
Golson.	Munson.
Graves.	Patterson.
Greathouse.	Pope.
Griffith.	Ramsey.
Haag.	Ratliff.
Hankamer.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Renfro.
Hodges.	Riddle.

Rollins.	Thomas.
Ross.	Townsend.
Russell.	Turlington.
Savage.	Van Zandt.
Scarborough.	Vaughan.
Shults.	Wagstaff.
Stanfield.	Walker.
Steward.	Weinert.
Stovall.	Winningham.
Sullivant.	Wood.

## Nays—27

Barrett.	Latham.
Barron.	Lotief.
Chastain.	Merritt.
Coombes.	Morrison.
Crossley.	Palmer.
Devall.	Parkhouse.
Engelhard.	Pavlica.
Fain.	Puryear.
Few.	Ray.
Ford.	Roberts.
Good.	Stinson.
Harman.	Tarwater.
Holloway.	Young.
Huddleston.	

## Present—Not Voting

Rogers  
of Ochiltree.

## Absent

Adamson.	Johnson
Beck.	of Anderson.
Cathey.	Jones of Shelby.
Celaya.	Kyle of Palo Pinto.
Dunlap.	Lemens.
Dunagan.	Long.
Duvall.	McClain.
Dwyer.	McGregor.
Fuchs.	Metcalfe.
Goodman.	Nicholson.
Harris.	Reader.
Harrison.	Rogers of Hunt.
Hartzog.	Scott.
Hester.	Shannon.
Hill of Webb.	Smith.
Holekamp.	Tennyson.
Jefferson.	Tillery.
	Wells.

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

## HOUSE BILLS ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Alsup:

H. B. No. 936, A bill to be entitled "An Act making it unlawful to take, sell, or barter, or to offer to sell, or barter, any minnows from the fresh waters of Panola County; providing a penalty for the violation of this Act; etc.; and declaring an emergency."

Referred to Committee on Game and Fisheries.

Mr. Pope moved to introduce, at this time, and have placed on first reading, the following bill:

The motion prevailed by the following vote:

## Yeas—100

Aikin.	Jones of Runnels.
Alexander.	Kayton.
Alsup.	Kyle of Hays.
Anderson	Laird.
of Bexar.	Latham.
Anderson	Leonard.
of Johnson.	Lindsey.
Baker.	Lotief.
Barrett.	Mackay.
Beck.	Magee.
Bedford.	Mathis.
Bourne.	McDougald.
Calvert.	Merritt.
Canon.	Mitcham.
Chastain.	Moffett.
Clayton.	Moore.
Colson.	Morrison.
Cowley.	Morse.
Crossley.	Munson.
Daniel.	Palmer.
Davidson.	Parkhouse.
Dwyer.	Patterson.
Engelhard.	Pavlica.
Fain.	Pope.
Few.	Puryear.
Ford.	Ratliff.
Glass.	Ray.
Golson.	Reed of Bowie.
Good.	Reed of Dallas.
Graves.	Renfro.
Greathouse.	Riddle.
Griffith.	Roberts.
Hankamer.	Rogers
Harman.	of Ochiltree.
Hicks.	Rollins.
Hill of Brazoria.	Russell.
Hodges.	Savage.
Holland.	Scarborough.
Holloway.	Shults.
Hoskins.	Smith.
Huddleston.	Stanfield.
Hughes.	Steward.
Hyder.	Stinson.
Jackson.	Stovall.
James.	Sullivant.
Jones of Atascosa.	Tarwater.

Thomas.	Wagstaff.
Tillery.	Walker.
Townsend.	Winningham.
Turlington.	Wood.
Van Zandt.	Young.
Vaughan.	

## Nays—1

Hunt.

## Present—Not Voting

Devall.

## Absent

Adamson.	Jefferson.
Barron.	Johnson
Bradley.	of Anderson.
Burns.	Jones of Shelby.
Camp.	Kyle of Palo Pinto.
Cathey.	Lemens.
Caven.	Long.
Celaya.	McClain.
Coombes.	McCullough.
Dean.	McGregor.
Dunlap.	Metcalfe.
Dunagan.	Nicholson.
Duvall.	Ramsey.
Fuchs.	Reader.
Goodman.	Rogers of Hunt.
Haag.	Ross.
Harris.	Scott.
Harrison.	Shannon.
Hartzog.	Tennyson.
Hester.	Weinert.
Hill of Webb.	Wells.
Holekamp.	

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

The Speaker then laid the bill before the House; it was read first time, and referred to the appropriate committee, as follows:

By Mr. Pope:

H. B. No. 937, A bill to be entitled "An Act validating bonds of cities and towns issued for the purchase, construction, improvement, or repair of any light, gas, water, or sewer system owned and operated by such city or town, under authority of Chapter 314, of the General Laws passed by the Forty-second Legislature at its Regular Session, in 1931, where such bonds have been approved, as to legality and purpose, by the Reconstruction Finance Corporation; validating the sale of such bonds, and declaring the same legal obligations upon the properties encumbered to secure their payment; providing and

authorizing the issuance, sale, and delivery of any such bonds heretofore authorized pursuant to this statute; etc.; and declaring an emergency."

Referred to Committee on Judiciary.

## BILL ORDERED NOT PRINTED

On motion of Mr. Russell, House Bill No. 902 was ordered not printed.

## NOTICES GIVEN

Notices were given that motions would be made to take up, for consideration, on the next legislative day, all bills which have heretofore been laid on the table subject to call.

## RECESS

On motion of Mr. Dwyer, the House, at 5:30 o'clock p. m., took recess to 7:30 o'clock p. m., today.

## NIGHT SESSION

The House met at 7:30 o'clock p. m., and was called to order by the Speaker.

The roll was called and the following Members were present:

Mr. Speaker.	James.
Aikin.	Jones of Atascosa.
Alsup.	Jones of Runnels.
Anderson	Kyle of Hays.
of Bexar.	Latham.
Bedford.	Leonard.
Bourne.	Lotief.
Bradley.	Mackay.
Calvert.	Magee.
Celaya.	McDougald.
Chastain.	McGregor.
Coombes.	Morrison.
Cowley.	Munson.
Devall.	Parkhouse.
Dwyer.	Puryear.
Fain.	Ratliff.
Few.	Reed of Bowie.
Ford.	Reed of Dallas.
Golson.	Riddle.
Good.	Roberts.
Goodman.	Rogers of Ochiltree.
Graves.	Rollins.
Haag.	Ross.
Hankamer.	Smith.
Harman.	Stinson.
Harris.	Stovall.
Hester.	Thomas.
Hicks.	Tillery.
Holekamp.	Townsend.
Holland.	Wagstaff.
Hoskins.	Walker.
Jackson.	Wood.

## Absent

Adamson.	Kyle of Palo Pinto.
Alexander.	Laird.
Anderson	Lemens.
of Johnson.	Lindsey.
Baker.	Long.
Barrett.	Mathis.
Barron.	McClain.
Beck.	McCullough.
Burns.	Merritt.
Camp.	Metcalfe.
Canon.	Mitcham.
Cathey.	Moffett.
Caven.	Moore.
Clayton.	Morse.
Colson.	Nicholson.
Crossley.	Palmer.
Daniel.	Patterson.
Davidson.	Pavlica.
Dean.	Pope.
Dunlap.	Ramsey.
Dunagan.	Ray.
Duvall.	Reader.
Engelhard.	Renfro.
Fuchs.	Rogers of Hunt.
Glass.	Russell.
Greathouse.	Savage.
Griffith.	Scarborough.
Harrison.	Scott.
Hartzog.	Shannon.
Hill of Brazoria.	Shults.
Hill of Webb.	Stanfield.
Hodges.	Steward.
Holloway.	Sullivant.
Huddleston.	Tarwater.
Hughes.	Tennyson.
Hunt.	Turlington.
Hyder.	Van Zandt.
Jefferson.	Vaughan.
Johnson	Weinert.
of Anderson.	Wells.
Jones of Shelby.	Winningham.
Kayton.	Young.

## Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

The Speaker announced that there was not a quorum present.

Mr. Anderson of Bexar moved a call of the House, for the purpose of securing and maintaining a quorum until 9:30 o'clock p. m., and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Anderson of Bexar, the Sergeant-at-Arms was instructed to bring in all absent Members within the City who are not ill.

The roll was again called, and the following Members were present:

Mr. Speaker.	Kyle of Hays.
Aikin.	Laird.
Alexander.	Latham.
Alsup.	Leonard.
Anderson	Lindsey.
of Bexar.	Lotief.
Anderson	Mackay.
of Johnson.	Magee.
Barron.	Mathis.
Beck.	McClain.
Bedford.	McCullough.
Bourne.	McDougald.
Bradley.	McGregor.
Burns.	Mitcham.
Calvert.	Moffett.
Camp.	Morrison.
Celaya.	Munson.
Chastain.	Parkhouse.
Coombes.	Puryear.
Crossley.	Ratliff.
Dean.	Ray.
Devall.	Reader.
Dunagan.	Reed of Bowie.
Duvall.	Reed of Dallas.
Dwyer.	Riddle.
Engelhard.	Roberts.
Fain.	Rogers of Hunt.
Few.	Rogers
Ford.	of Ochiltree.
Fuchs.	Rollins.
Golson.	Ross.
Good.	Russell.
Goodman.	Savage.
Graves.	Scott.
Griffith.	Shannon.
Hankamer.	Shults.
Harman.	Smith.
Harris.	Stanfield.
Hester.	Steward.
Hicks.	Stinson.
Hill of Brazoria.	Stovall.
Hodges.	Sullivant.
Holekamp.	Tennyson.
Holland.	Thomas.
Holloway.	Tillery.
Hoskins.	Townsend.
Huddleston.	Turlington.
Hughes.	Wagstaff.
James.	Walker.
Jefferson.	Weinert.
Jones of Atascosa.	Winningham.
Jones of Runnels.	Wood.
Jones of Shelby.	Young.
Kayton.	

## Absent

Adamson.	Canon.
Baker.	Cathey.
Barrett.	Caven.



Clayton.	Lemens.
Colson.	Long.
Cowley.	Merritt.
Daniel.	Metcalf.
Davidson.	Moore.
Dunlap.	Morse.
Glass.	Nicholson.
Greathouse.	Palmer.
Haag.	Patterson.
Harrison.	Pavlica.
Hartzog.	Pope.
Hill of Webb.	Ramsey.
Hunt.	Renfro.
Hyder.	Scarborough.
Jackson.	Tarwater.
Johnson	Van Zandt.
of Anderson.	Vaughan.
Kyle of Palo Pinto.	Wells.

Absent—Excused

Butler.	Johnson
Fisher.	of Dimmit.
Head.	McKee.

The Speaker announced that there was a quorum present.

#### RELATIVE TO STATE BOND ISSUE

In accordance with the provisions of a resolution, heretofore adopted by the House, inviting the mayors of various cities of Texas to address the Legislature, in regard to the voting of a State bond issue, Speaker Stevenson presented the mayors of the various cities, who addressed the House in regard to the voting of a State bond issue.

#### ADJOURNMENT

Mr. Kayton moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Tennyson moved that the House recess to 9:30 o'clock a. m., tomorrow.

The motion of Mr. Kayton prevailed, and the House, accordingly, at 10 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

State Affairs: Senate Bill No. 171; House Bills Nos. 496, 925; and Senate Concurrent Resolutions Nos. 39, 37, and 36.

Municipal and Private Corporations: House Bills Nos. 902 and 903.

Game and Fisheries: Senate Bill No. 275, and House Bill No. 932.

Revenue and Taxation: House Bill No. 759.

Judiciary: House Bills Nos. 935 and 929.

The Committee on Insurance filed an adverse report, with a minority favorable report, on House Bill No. 732.

The Committee on Judiciary filed an adverse report on Senate Bill No. 56.

#### REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, May 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 4, A bill to be entitled "An Act amending Article 5326, of the 1925 Revised Civil Statutes, providing for forfeiture of public school land on non-payment of interest, and manner of making forfeiture, and for further sale, and providing for reinstatement within one year from date of forfeiture by purchasers, or their vendees, or their heirs, or legal representatives, and terms of reinstatements, and providing for enforcing State's right of forfeiture or to recover sums due or any other rights in land,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, May 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 536, A bill to be entitled "An Act to amend Articles 2846 and 2854, of the Revised Civil Statutes of Texas of 1925, relating to the printing, engraving, binding, and furnish-

ing of textbooks; and providing that in the event the publisher awarded a contract by the State of Texas, for the furnishing of textbooks, sublets any part or all of his contract to a Texas printer, said printer shall give a reasonable bond to said publisher for the performance of his work; and defining the word 'publisher' within the meaning of this Act; and providing that this Act shall not affect existing contracts, but only those made after the effective date of this Act; and providing that the cost to the State of Texas of any textbook manufactured within said State shall not be higher than the minimum cost of the same book to any other State, after all discounts have been deducted; providing nothing herein shall alter, affect, change, or modify the anti-trust statutes of this State, and if any section or part hereof is found to affect, alter, change, or modify the anti-trust statutes of this State, said section or part shall be null and void; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, May 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 555, A bill to be entitled "An Act to amend Article 2350, of Title 44, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Act of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1, and as amended by Act of the Fortieth Legislature, page 435, Chapter 490, Section 1, and as amended by Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section 1, relating to the salaries of county commissioners; providing the effective date of this Act shall be January 1, 1934; repealing all laws, both general or special, and parts of laws, both general or special, in conflict herewith; and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, May 11, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 831, A bill to be entitled "An Act, the purpose of which is to safeguard the health of the people of this State by insuring the sanitary and healthful production and distribution of fluid milk and sweet cream; defining 'fluid milk,' 'sweet cream,' 'butter fat,' 'Commissioner,' and 'milk distributors,' providing for the regulations of the sale and distribution of milk and sweet cream in city or town in which the distribution of milk is governed by a standard ordinance, rule, or regulations, and providing for a certificate of authority to be issued by the Commissioner of Agriculture authorizing the distribution of milk and sweet cream in such city or town; preventing the sale of milk and sweet cream below cost; preventing the discrimination in price between different producers or distributors or between different sections; providing fees to be paid by the distributors which shall be used in the enforcement of this Act; providing penalties for violation of the provisions of this Act; providing if any part of this Act is declared unconstitutional, it shall not affect the validity of the remainder of the Act; providing no part of this Act shall affect, change, or alter any anti-trust statute of this State, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, May 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 5, A bill to be entitled "An Act to provide that no lease, assignment of lease, or release of any school or asylum land in which the State has a reservation of minerals shall be effective until filed in the General Land Office; providing that no other instrument affecting the State's interest in and to such land shall be effective until such instru-

ment has been so filed; providing that all leases, assignments of leases, and releases of any State school or asylum land, in which the State has a reservation of the minerals, shall state the true consideration and terms, and shall be accompanied by an affidavit signed by the owner and lessee that the consideration and term set out in said lease assignment of lease and/or release are true and correct, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, May 11, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 21, Requesting the State Highway Commission to equip said Highway Patrol with facilities and instruments necessary for enforcing all of said highway laws,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

#### SIXTY-FOURTH DAY

(Friday, May 12, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Camp.
Adamson.	Canon.
Aikin.	Cathey.
Alexander.	Caven.
Alsup.	Celaya.
Anderson	Chastain.
of Bexar.	Clayton.
Anderson	Colson.
of Johnson.	Coombes.
Baker.	Cowley.
Barrett.	Crossley.
Barron.	Daniel.
Beck.	Davidson.
Bedford.	Dean.
Bourne.	Devall.
Bradley.	Dunlap.
Burns.	Dunagan.
Butler.	Duvall.
Calvert.	Dwyer.

Engelhard.	McGregor.
Fain.	McKee.
Few.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Munson.
Goodman.	Nicholson.
Graves.	Palmer.
Greathouse.	Parkhouse.
Griffith.	Patterson.
Haag.	Pavlica.
Hankamer.	Pope.
Harman.	Puryear.
Harris.	Ramsey.
Harrison.	Ratliff.
Hartzog.	Ray.
Head.	Reader.
Hester.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Renfro.
Hill of Webb.	Riddle.
Hodges.	Roberts.
Holekamp.	Rogers of Hunt.
Holland.	Rogers
Holloway.	of Ochiltree.
Hoskins.	Rollins.
Huddleston.	Ross.
Hughes.	Russell.
Hunt.	Savage.
Hyder.	Scarborough.
Jackson.	Scott.
James.	Shannon.
Jefferson.	Shults.
Johnson	Smith.
of Anderson.	Stanfield.
Jones of Atascosa.	Steward.
Jones of Runnels.	Stinson.
Jones of Shelby.	Stovall.
Kayton.	Sullivant.
Kyle of Hays.	Tarwater.
Kyle of Palo Pinto.	Tennyson.
Laird.	Thomas.
Latham.	Tillery.
Lemens.	Townsend.
Leonard.	Turlington.
Lindsey.	Van Zandt.
Long.	Vaughan.
Lotief.	Wagstaff.
Magee.	Walker.
Mackay.	Weinert.
Mathis.	Wells.
McClain.	Winningham.
McCullough.	Wood.
McDougald.	Young.

#### Absent—Excused

Fisher.	Merritt.
Johnson	Metcalfe.
of Dimmit.	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.